

160

GUACANAGARI	PONTIAC	BLACK HAWK
MONTEZUMA	CAPTAIN PIPE	KEOKUK
QUATIMOTZIN	LOGAN	SACAGAWEA
POWHATAN	CORNPLANTER	BENITO JUAREZ
POCAHONTAS	JOSEPH BRANT	MANGUS
SAMOSET	RED JACKET	COLORADAS
MASSASOIT	LITTLE TURTLE	LITTLE CROW
KING PHILIP	TECUMSEH	SITTING BULL
UNCAS	OSCEOLA	CHIEF JOSEPH
TEDVUSKUNG	SEQUIOYA	GERONIMO
	SHABONEE	



TO PERPETUATE THE HISTORY
AND DEVELOPMENT OF THE
PEOPLE REPRESENTED BY THE
ABOVE CHIEFS AND WISE MEN
THIS COLLECTION HAS BEEN
GATHERED BY THEIR FRIEND
EDWARD EVERETT AYER

AND PRESENTED BY HIM
TO
THE NEWBERRY LIBRARY
1911







Contents.

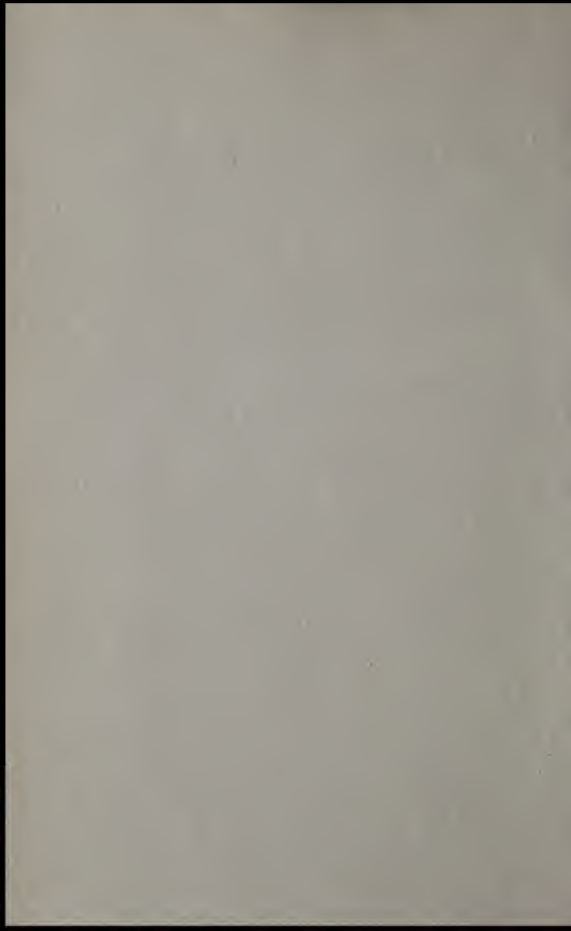
1. Report of the Committee on Indian Affairs
2. Bogy, L. V. Defence. Ed. 2.
3. Message of the President. 1872.
4. Minutes of the Assoc. Exec. Com. of Friends
5. Custer, B. A. Testimony.
6. Logan, J. A. Speech. Indian affairs
7. Laws & Regulations relating to Trade with Indians
8. Porter, R. P. The Eleventh Census.
9. Payment of Indian Depredation Claims

Ayer
155
I 3
1824

REPORT OF THE COMMITTEE ON INDIAN AFFAIRS.

From THE FRIEND OF PEACE. Vol. 4.

Cambridge: 1824.



REPORT OF THE COMMITTEE ON INDIAN AFFAIRS.

March 23, 1824. THE Committee on Indian Affairs, to whom was referred the resolution of the 6th of January, instructing them to inquire into the expediency of repealing an act, entitled, "An act making provision for the civilization of the Indian Tribes adjoining the frontier settlements," passed on the 3d of March, 1819, *Report* :—

That they have examined the subject embraced by the resolution, and beg leave to submit the following statement :

The Committee have carefully examined the measures which have been adopted, for the disbursement of the annual allowance made by this law, and find them very judicious, and such as are best calculated to effectuate the benevolent designs of the Government.

All the schools are increasing, and so urgent is the wish of the Indians to have their children educated, that numerous applications are refused from the limited means which the schools possess. The time of the children is not wholly devoted to their books, while at school ; the girls are instructed in such arts as are suited to female industry in civilized life, and the boys are required to devote a part of their time in acquiring a knowledge of husbandry. The advances of male and female, in these branches are most satisfactory, and have already had no small influence in inducing their parents to become less fond of an erratic life, and more inclined to have fixed residences, and rely for their support on the cultivation of the ground. Such has been the effect of the above circumstances, combined with some others not more influential, that at many of the places where schools have been established, the Indians have constructed comfortable dwellings, and now cultivate farms of considerable extent. They have become the owners of property necessary to agricultural pursuits, and for the conveniences of life.

The annual appropriation of ten thousand dollars, has encouraged the benevolent and pious, in many parts of the country, to form associations and collect donations, with the view of aiding the humane purposes of the government. Hundreds of such associations are now in active operation ; and they are much cheered in their exertions by the rapid advance to civilization which the Indians have made.

It requires but little research to convince every candid mind, that the prospect of civilizing our Indians was never so promising as at this time. Never were means, for the accomplishment of this object, so judiciously devised, and so faithfully applied, as provided in the above act, and the auxiliary aids which it has encouraged. It is believed to be an essential part of any plan for Indian civilization, that, with the rudiments of education, the males should be taught the arts of husbandry ; and the females to perform those domestic duties, which peculiarly belong to their stations in civilized life.

These are combined in the exertions now making; and, from the good which has been done, the most pleasing anticipations of success are confidently cherished. There are many Indian nations, within our boundaries, who have experienced no aid from these efforts; being restricted in the means, the benefits are, consequently, limited. But the Committee are assured, that the continuation of the appropriation, seconded by the liberal and increasing aids which are afforded by voluntary contributions, will gradually, and most effectually, extend the benefits of the law to the remotest tribes, who inhabit our extensive domain. This will be a work of time, and for its accomplishment, great labor and perseverance will be necessary. The progress, however, of this work, may be more rapid than any can now venture to anticipate. The instruction and civilization of a few enterprising youths, will have an immense influence on the tribes to which they belong. As the means are constantly applied, the numbers reclaimed will increase, and an increase of members will insure, in a geometrical proportion, success for the future.

The civilization of the Indians has been viewed as a work of great national importance, by many whose talents and public services have rendered illustrious the annals of our country. This was an object of great solicitude with Washington, and to all who succeeded him. Prior to the passage of the above law, the attention of Congress was invited to the subject, in almost every annual message from the Executive. If the policy of this measure were considered merely as a question of pecuniary interest, it is believed that but few would hesitate to sanction it. That it inculcates the most friendly disposition, on the part of the Indians, no one, well informed on the subject, will venture to deny.

They understand the motives of the government, and properly appreciate it. So far as the benefits of this policy are extended, will this feeling be cherished, and it affords the safest guarantee against future wars. To say nothing of the valuable lives which have been lost in the Indian conflicts we have had, how much treasure has been expended in our defence! More money was expended in protecting the exposed parts of our country from Indian depredations, during the late war, than would be required, if judiciously applied, to secure the great plan of Indian civilization.

Shall we, from recent injuries, indulge a spirit of hostility against these unfortunate people? The principles of humanity, and the dignity of our government, forbid it. There is much in their condition to excite our sympathies, as men, and our protection, as Legislators. They have been driven from this wide domain, to a territory far less desirable and of limited extent. They are constantly receding, as we are advancing.

The Indians are not now what they once were. They have partaken of our vices, more than our virtues. Such is their condition, at present, that they must be civilized or exterminated;

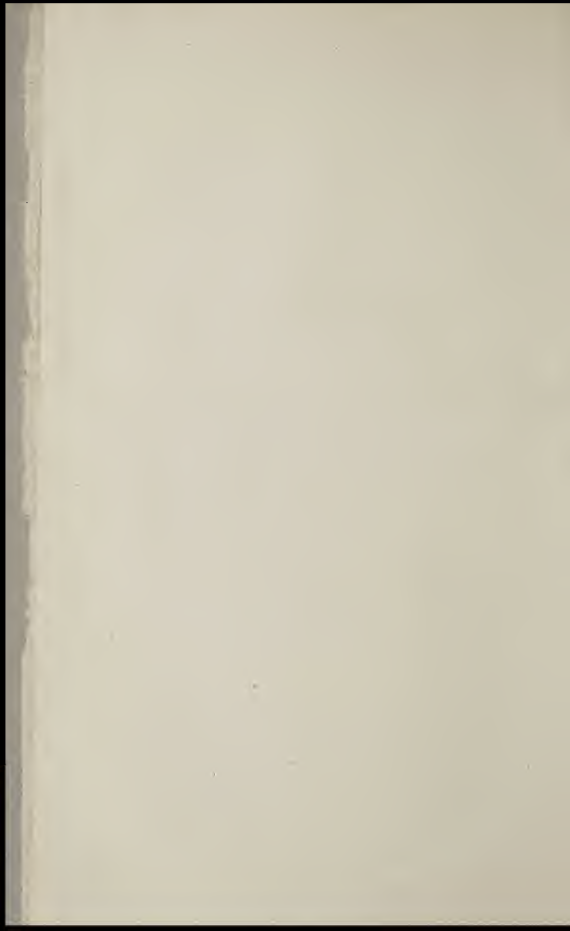
no other alternative exists. He must be worse than savage, who can view with cold indifference, an exterminating policy. All desire their prosperity, and wish to see them brought within the pale of civilization.

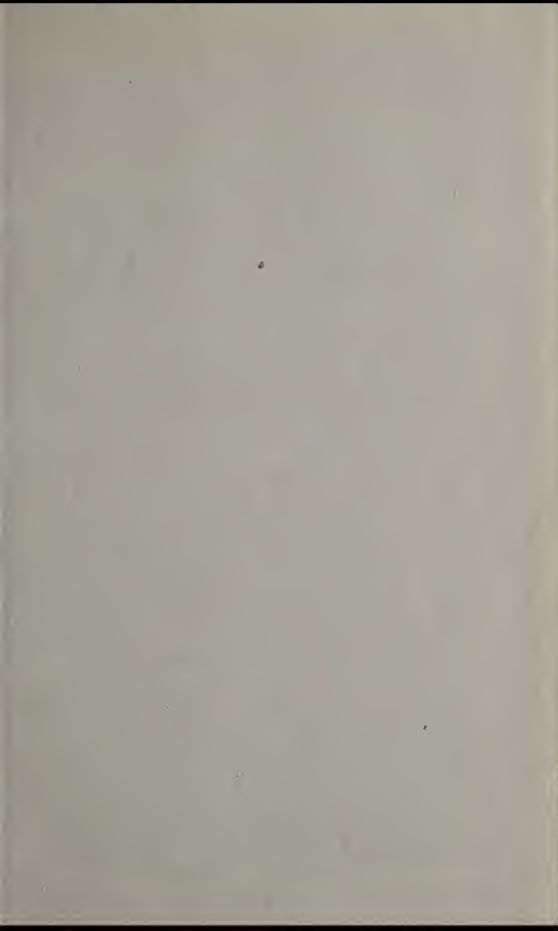
From the various lights in which the Committee have viewed the policy of this law, they are convinced that it is founded in justice, and should not be repealed. They therefore submit to the House the following resolution:—

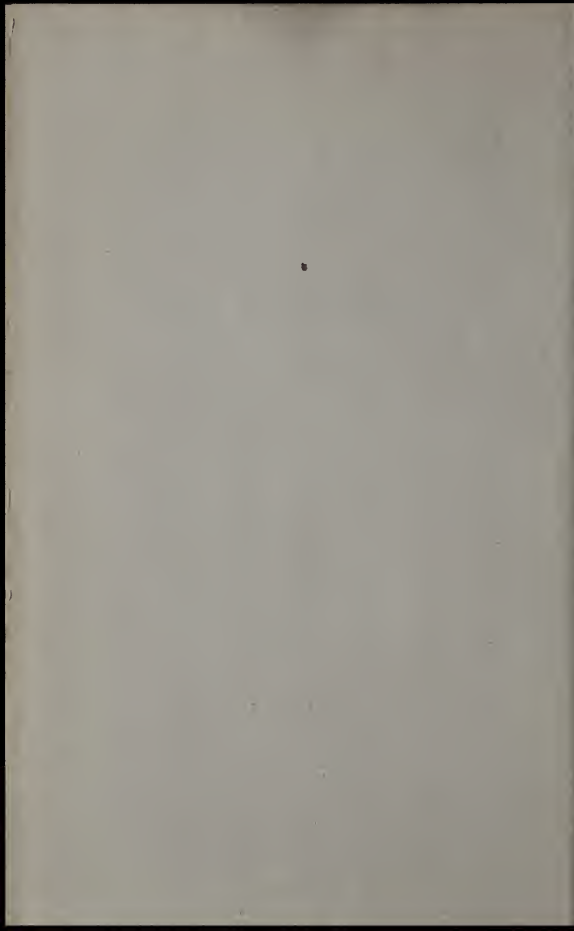
Resolved, That it is inexpedient to repeal the law making an annual appropriation of ten thousand dollars for the civilization of the Indians.

N. B The foregoing paragraphs are not the whole of the pleasing Report; but these extracts will afford some consolation to balance the regrets occasioned by the Georgia demands respecting the Cherokees. We recollect no other Report in Congress, more expressive of enlightened and Christian philanthropy.

EDITOR.







2
4072 17
10

DEFENCE

BY

MR. COMMISSIONER BOGY

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS

OF THE

HOUSE OF REPRESENTATIVES.

By an accident, there was inserted in a large portion of the first edition of this Speech the most abusive and scurrilous part of the speech of the opposing counsel, and the most important part of my own argument, as well as the testimony of Mr. John Dobson, an American manufacturer of cloths and blankets, were left out. This begins at page 17, and ends at page 32, inclusive. I request all persons to whom this spurious copy was sent to "cast it into the fire," and to read the copy now sent.

WASHINGTON CITY, February 18, 1867.

LOUIS V. BOGY.

Red =
not included



DEFENCE

BY

MR. COMMISSIONER BOGY

BEFORE

*The Committee on Indian Affairs of the House of Representatives, sitting
in compliance with the following Resolution:*

THIRTY-NINTH CONGRESS—SECOND SESSION.

CONGRESS OF THE UNITED STATES.

IN THE HOUSE OF REPRESENTATIVES,

December 19, 1866.

MR. INGERSOLL submitted the following, which was agreed to :

Whereas, The Commissioner of Indian Affairs did, on the 21st day of November, 1866, advertise for sealed proposals for supplying the Indian Service with certain goods, wares, and merchandise; and whereas, it is reported that said Commissioner did, on the 18th day of December, 1866, award the contract for supplying said goods, wares, and merchandise, on a bid much higher, and on samples inferior to those offered by other parties: Therefore be it

Resolved, That the Secretary of the Interior be directed to transmit to the House Committee on Indian Affairs, the bids received on the 15th day of December, 1866, by the Commissioner of Indian Affairs, in compliance with the advertisement above referred to, and the award made by him on the 18th day of December, 1866; and all papers received by said Commissioner in any way relating to said bids and awards, together with all samples accompanying said bids; and that said Committee be directed to examine into the action of said Commissioner, and report the result of their investigation to this House; and in the meantime the Secretary of the Interior is directed to suspend contracts based upon said awards.

Attest:

(Signed) EDW'D McPHERSON, Clerk.

Summing up by Mr. Commissioner Bogy in his own defence.

WASHINGTON, D. C., Saturday, January 12, 1867.

MR. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE :

After a professional service of some thirty years, this is the first time I ever appeared before any court or tribunal in defence of myself, and on this account I labor under some embarrassment. I join you in a feeling of grateful congratulation, that we are approaching the end of this long, tedious, and disagreeable investigation—disagreeable to you as to me, not because I feel that I did wrong, but because I feel that I am placed before you and the whole country in the attitude of a dishonest public servant. That is the attitude in

which I have been placed for the last three weeks by the public press, by the public voice, by all the efforts that could be made in hotels, on the streets, on the highways and on the by-ways, as a faithless public servant who had failed to do his duty in the disbursement of a few dollars. Much as I regret this investigation, so far as I am concerned personally, nevertheless, it is for the public good that it has occurred. It will enable me, even in the brief space allowed me, to place my actions, and all that I did with reference to the award of these contracts, and my views of Indian policy before the Committee and before the country.

Mr. Chairman and Gentlemen : I desire to say nothing unkind of my predecessor, or of any of my predecessors, when I say the country has for some time back been filled with rumors of Indian frauds and violations of contracts ; of speculations and peculations throughout the vast ramifications of the Indian Bureau. When I took charge of that Bureau I was informed that that was the status of the Bureau, and that if I attempted to reform its abuses I would necessarily have to encounter tremendous opposition. I never sought the office. I do not seek to retain it now ; but while I do occupy that office, I will, to the best of my ability, without fear, favor or affection, discharge all the duties that devolve upon me. As an officer of the Government, I have the right to have my views of duty, or, to use the modern language of the day, to have "my policy." It is my duty, as it is the duty of every man occupying a public position, to have some great object to accomplish. My object in this thing was to reform abuses, to check speculation, to stop this terrible greed for money, indulged in at the expense of the lives of the Indians, at the expense of the peace of the country, and particularly at the expense of the peace of my section of the country. As I knew, and as I have proven before the Committee, that Indian goods had been delivered of a very inferior quality, I determined to accept only good goods and to pay fair prices, and I have done so. I have for years advocated the doctrine, and have proclaimed the fact publicly, that it was a disgrace to this people, that, while we clothe our soldiers, who fight the battles of the republic, with goods of American manufacture, the Government has year after year gone to England to buy blankets and cloths to clothe the American Indians. I have said that that was a shame. I said so in the public prints in my city years ago ; and when I took possession of this office I inquired whether I had the power to reform the abuse, and I was told that I had. When those bids were opened in my office, I announced to the bidders, before I knew one man of them, that it was my intention to take American goods, made of American raw material, regardless of the price, provided that the price was not too far out of the way. I did so, and there is where I stand to-day. I have taken only good goods, because it is a duty which the Government owes to the Indians to protect their interests. The money disbursed by the Indian Bureau does not belong to the Government, but to the Indians. It is their money, and they have a right to require that it shall be properly expended for their benefit. It is also the duty of the Government to patronize American manufactures, particularly at this time when our manufactures are languishing, and when, owing to the excessive issue of paper money, growing out of the recent war, the prices of labor and of raw material are so high as to prevent our manufacturers from competing in the markets of the world with foreign fabrics. I therefore, so far as I could, was determined, and so proclaimed it, to take American blankets, made by American hands, and from wool grown in the prairies of the West where I reside. I have carried out that determination. I accepted the bid for the only American blanket presented, made of American wool, and I accepted the bid for the only cloth presented that is to be made of American wool. I wish the Committee to recollect that not one of those bidders, except the man to whom I awarded the

contract, proposed to furnish a blanket of American wool entirely, or a yard of cloth of American wool entirely.

With a view to place myself in a proper attitude before the Committee and to make my remarks brief, I will read extracts from my testimony as part of my speech.

“WASHINGTON, D. C., January 21, 1866.

“LEWIS V. BOGY, sworn and examined.

“BY THE CHAIRMAN :

“*Question.* Is this paper which you have produced here a copy of the advertisement inviting bids or proposals for Indian goods ?

“*Answer.* Yes, sir.

“*Ques.* In response to that advertisement, how many bids were received at your office ?

“*Ans.* It would be well, I think, as a matter of explanation, that I should state why I framed this advertisement in the manner in which it is framed.

“On the 1st of October, 1866, my predecessor, Mr. Cooley, published an advertisement calling for bids for the supply of Indian goods, a copy of which I have in my hand. Those bids were to be opened on the 22d of October. In the meantime I was appointed Commissioner of Indian Affairs, but had not yet entered on the discharge of my duties, not doing so until the 1st of November. As soon as I saw the advertisement I called upon Mr. Browning, the Secretary of the Interior, and told him that I considered the advertisement objectionable in several particulars, which I mentioned to him, and I requested him to direct Mr. Cooley to withhold the advertisement. Mr. Browning told me to make to him a written statement of my objections, and if they were good he would comply with my request ; if not, he would permit the matter to go on. I presented my objections to Mr. Browning. My first objection to the advertisement was this : It called for first-class goods, which are all woolen goods, consisting of blankets alone ; as Mackinac blankets, which means English blankets ; at least it has always been so considered heretofore. My first objection was that I thought we should, if possible, buy American goods, and in the advertisement which I subsequently framed, I said “Mackinac blankets, *foreign or domestic,*” so as take in, if possible, American goods.

“My second objection was, that there was a very large quantity of goods enumerated in the advertisement which were utterly useless to the Indians, and which I knew, of my own knowledge, the Indians had no use for ; for they had no means of transporting them except by their horses. For instance, it called for 2,000 yards of green cloth, whereas the fact is that you cannot make an Indian wear green cloth. It called for 75,000 yards of calico, and the fact is that the Indians will not wear calico if they can avoid it. They only use it for the dresses of their women, and as the women sleep with their clothes on a dress would only last a few weeks. It called for 10,000 yards of blue denims, which are of no use at all to the Indians ; and when they get them they are taken and traded away to the traders and sutlers.

“It called for 2,000 yards of shirting, striped, which is only used in very small quantities.

“It called also for checks, stripes, and plaids, which are not wanted. Jeans are needed, but not to the amount called for. Assorted flannels are not generally needed. I came to the conclusion that these things, besides heavy kearsies, woolen shirts and calico shirts, cotton *maiter*, and some other articles, were not needed.

“The advertisement also called for bids for an immense quantity of articles which I considered were not needed by the Indians unless they were bought by them from their traders.

"It was by consulting with Indian traders and agents that I ascertained that fact. Mr. Jarrots, who was for a long time Indian Agent at Fort Laramie, and who is a very intelligent man, told me that these things were not needed by the Indians. It is possible that some of them might be wanted in small quantities, but not in sufficient quantities to justify an advertisement in advance.

"Another objection that I had to Mr. Cooley's advertisement was, that it contained the provision: 'The right will be reserved to require a greater quantity of any of the articles named than that specified in the above schedule, not exceeding three times the amount thereof, or to take any less quantity of the same at the prices proposed.'

"I reformed the advertisement by striking out that last clause, not reserving to myself the right to take less than the quantity called for, which I thought would be wrong; because if a friend should get the bid you could under this clause take three times the amount called for; whereas if an enemy got it you might take a great deal less. I reformed the advertisement in that particular, so as to strike that out. I modified it so that I could increase the quantity, but had no right to decrease it."

I take it for granted, gentlemen, that the man who occupied that office, however small his intellect may be, ought to have sense enough to know the minimum of his wants. He may not know the maximum, but he certainly should know the minimum.

"Another objection I had to Mr. Cooley's advertisement was, that it called for the goods to be delivered in New York City. The operation of that requirement heretofore has been, that no man in America could furnish these goods except a New York man. I thought this was a great outrage, and I so reformed it. Under the old system no man in Boston, Philadelphia, or Chicago could compete with the New York merchants, because their goods would have to be transported from those places to New York, and the cost of transportation would place them on an unequal footing with the New York men. I reformed the advertisement so as to provide that the goods might be delivered in St. Louis or in New York."

And here let me explain: It might be supposed that because I am from St. Louis I indicated that city as the place where the goods were to be delivered; but I submit to the Committee whether I was not right in selecting that point? All these Indian goods, except those for the Indians on Lake Superior, and in that region of country, which should be bought in New York,) have to go from St. Louis. St. Louis is the shipping point for the Indian country by the Missouri River, and also by way of Kansas and Leavenworth, the Indians' inland in the country towards Arizona, Nevada, New Mexico, Utah, &c. St. Louis is the point where these goods naturally concentrated. Merchants living in Louisville, Cincinnati, Chicago, Philadelphia, Boston, and Baltimore can compete for delivery of goods at that point with New York merchants. That does not operate any injustice on New York merchants, but it places merchants in other parts of the country on the same footing with them; and I am sure the Committee will say that that is right.

"I put in St. Louis because that is the shipping port for the Indian country, and nine-tenths of the goods intended for the Indians have to come to St. Louis.

"I changed the wording of the advertisement and modified it greatly, to the best of my judgment.

"It will be observed that by my advertisement, as well as by that of my predecessor, it is provided that *no bid shall be taken from any person who has failed to comply with a former contract*. I would like to call the attention of the Committee to this provision of the advertisement: 'Samples of all articles to be forwarded to this office with the proposals, and the goods furnished to be equal in all respects to the samples.'

Here I will also remark, that it has been proven before the Committees, and cannot be denied, that when I took charge of the Indian Bureau there was nothing which could properly be called samples in the office. No sample-room existed there. The first sample-room that has ever existed in the Indian Bureau has been organized by me. The first collection of samples that was ever got up in the office has been got up by me in spite of all the efforts of those men who wanted to withdraw their samples. That is proven, not by my own testimony alone, but by the testimony of Mr. Mix, who stands before the Committee as a gentleman perfectly disinterested in the matter. There was nothing there what properly could be called samples. What could I do? The practice heretofore has been to throw a few samples in the Commissioner's room—a small room—helter-skelter on the floor, and then the whole matter was arranged by a few men who were in the ring. I did better. I organized a sample-room. I called upon the Chief of my Department to appoint for me an expert. Heretofore some clerk in the office was detailed to do this duty—some man who was in the ring. The Secretary appointed as an expert a gentleman whom I never saw before. That is proven before the Committee. Whether he be competent for the purpose was not a question for me to decide, although I believe he is. But whether he is or not, what could I officially do? If I had been disposed to cheat or to deceive, I would not have called upon Mr. Browning to appoint a check over me.

"It was customary formerly for samples to be furnished by the Department, and the goods contracted for were required to be equal to those samples. I am prepared to say, however, that I found no assortment of fair samples in the office when I came here, (except one scarlet blanket,) which would rank as samples. The scarlet blanket, however, was said to be a sample blanket. There was no sample-room, or if there was, there were no fair samples in it.

"I found, when I took charge of the Indian Department, that the goods which had been delivered last year for the Indians were of very inferior quality, and the agents who spoke of them, spoke of them in very harsh terms. I asked Mr. Mix to furnish me with the names of the parties who had furnished the goods to the Cheyennes and Arapahoes, and he informed me that those goods had been purchased from Buckley, Sheldon & Co., of New York. I thought the matter over a whole day, and, after the bids were opened, I asked Mr. Wheeler, who represented the house of Buckley, Sheldon & Co., whether that house had furnished the goods for the Cheyennes and Arapahoes, and he answered that they had. I held their invoices in my hand and knew it to be so. I told Mr. Wheeler that, according to the advertisement, persons who had failed to comply with former contracts were excluded from the bidding, and that the proof was on my table, positively, that the goods furnished last year by that house to the Indians throughout the country were of very inferior quality; that the blankets for which they charged \$13 were not worth more than \$2 a pair, and therefore, I said, that I would exclude the bids of that house, however disagreeable it might be to me."

That is my testimony, and it has not been contradicted by a single witness. Why should I not exclude the bids of these men? It is said in the argument on their side, that there is no proof that they violated their contract; but I rely upon the intelligence of the Committee to do me justice in this matter. I brought the report of Governor Faulk, of Dakota—a gentleman whom I never saw in my life—and read it to the Committee; also, the report Mr. Conger, the report of Mr. Hudson, the report of Mr. Potter, the report of Governor Comming, the report of Mr. Irwin, the report of Colonel Bent, and others, stating that the goods furnished to these Indians by Buckley, Sheldon & Co. were infamous, outrageous. Before you yesterday, here, Mr. Irwin testified that he was compelled to buy other goods in the Cheyenne country to prevent those Indians from

going to war because the annuity goods furnished them were deficient in quantity and had in quality. What was I to do? It is stated in the advertisement that if any bidder had failed in previous contracts, his bid would be excluded. What is a Commissioner to do under such circumstances? Is he to run along with these speculators and permit them to go on with their nefarious proceedings lest he may encounter their opposition? or is he, as an honest man, to do his duty and to tell these men, no matter how high they stand in New York or elsewhere, "You have failed to comply with your former contract, and I therefore exclude your bids?" I know, and some of you, gentlemen, ought to know, and do know, that all our Indian troubles which involve the Western country in wars, are owing to this infamous practice of furnishing to them poor goods, as these men from New York did, with blankets that were not worth two dollars a pair and charging thirteen dollars a pair for them. I have exhibited one of those blankets to the Committee, and they are not good horse blankets. Think of the infamy of this Government, through its Indian Bureau, thus treating these poor people. Whose money is expended? It is their own money. The Government has recognized the right of the American Indians to sell their land. No matter what the legal right may be according to the law of nations or of States, that right has been recognized. The Government takes their lands from them and agrees to give them in exchange a small amount in annuity goods every year. And what do they get? What do you give to a poor Indian living near the 49th degree of latitude? One blanket a year, and that a miserable blanket which cannot protect him from the soft breezes of early spring or early fall, much less from the deadly blasts of winter. That has been the case. It has been proven to the Committee and cannot be successfully denied. I would have resigned my office and walked all the way back to my native State rather than permit wrongs of that kind to be practiced while I occupy the position of Indian Commissioner. I have no false sympathy for the Indians; but, as a Western man, and having been much among them, I feel for their condition and I want the Government to do its duty by them. Hence I told these bidders that I would not accept the bids of any one who violated their former contracts. I trust the Committee will remember the fact; and while I am on that point I will refer briefly to a matter that is also in the testimony.

A report was made to the Indian Bureau by Mr. Johnson, who was appointed by Mr. Commissioner Cooley to go to Dakota. The report is included in the annual report made by Mr. Cooley. It is a special report.

I refer to the deposition of Charles E. Hedges, taken June 2nd, 1866, at Yankton Agency, Dakota Territory, in regard to the conduct of Indian Affairs in the Dakota Superintendency.

I read from his testimony:

"*Question.* Did you see the goods brought to this Agency for the Indians last year? If so, state what was the quality of them.

"*Answer.* I did, sir. They were of a very inferior quality; in fact, every year I have been here, except the first, the goods sent here were very inferior, and I have often been selling at retail in my store at a less price than the Indian goods were invoiced. Many of the goods also were useless, and of no service to the Indians. The blankets, particularly the colored ones, were very inferior.

"*Ques.* From your experience in purchasing Indian goods, about what was the value of the blankets received here for the Indians as compared with first-class and full weight Mackinac blankets?

"*Ans.* I regard it that on the three-point blankets there was a difference of about \$4 00 per pair. A three-point blanket should weigh eight pounds; those received here did not exceed six pounds.

"*Ques.* How were the prints and other cotton goods?

"*Ans.* Generally of an inferior quality, particularly bed-ticking, brown drilling, domins, and blue drilling.

"*Ques.* What was the quality of the shawls ?

"*Ans.* Of very coarse texture, not worth over two-thirds of the contract price.

"*Ques.* How was the hardware ?

"*Ans.* The hardware was rough and clumsy, and many things were put in that were of no value to the Indians. The Indians generally expressed great dissatisfaction with the hardware.

"CHAS. E. HEDGES."

Mr. DAVIS remarked that the goods in question were not furnished by Buckley, Sheldon & Co., and called on Mr. Mix to verify that statement.

Mr. MIX remarked that the Commissioner was under a misapprehension, that the question was in reference to the goods brought to the Agency the preceding year; and that Buckley, Sheldon & Co. did not deliver any goods until February, 1866.

Mr. BOGY. It matters not. This is a report made to the Congress of the United States in July, 1866, and it is found among the archives of my office, and proves that bad goods have been furnished the Indians. I have read the report of Governor Faulk, the Superintendent, the report of Agent Potter, the report of Agent Conger, and the report of Mr. Norton, which is also partly excluded from the annual report because it tells of these things. But I read it, and that additional report will have to be published if you wish to give the facts to the country. What was I to do under the circumstances? Had I not to use my discretion? Is the person who occupies that office to be deprived of all discretion when he thinks a fraud of this kind is being perpetrated? Certainly not. I now refer back to my former testimony.

"*Question.* Have you a copy of the bids?

"*Answer.* Yes; and according to the bids they would have no chance for the contract.

"I thought it due to the country that this principle should at once be asserted, for I was satisfied that the goods delivered to the Indians for many years past had been of very inferior quality.

"I told Mr. Wheeler that I would not argue the matter with him. He then said he would withdraw his samples, to which I objected, telling him that I would retain a copy of the bids and his samples and pay him for them."

That game was attempted to be practiced on me. All these men, when their bids were excluded, attempted to withdraw their samples. Mr. Stettauer, himself, although he denied it under oath, came to my room and wanted to withdraw his samples. Although my testimony should not be taken for more than Mr. Stettauer's, still mine is corroborated by Mr. Mix, and his is not, and, according to all the rules of evidence and common decency, mine should prevail. He came to my office, he and all the others, to withdraw their samples. I told them that although I was but a short time in the office, I would stop that game, and would retain their samples and pay for them. It was suggested to me, that there was no money appropriated for that purpose, but I told M. Mix that I would pay it out of my own pocket. I retained their samples. If I had been disposed to be dishonest, if these samples were so superior as they say, is it likely that I would have retained them? On the contrary, every one of the samples would have been taken away long ago, but I retained them in spite of all their efforts.

"Most of the bidders objected to having their samples retained, and they all asked to withdraw them, but I declined to permit them to do so. The bid of Buckley, Sheldon & Co. was not considered at all. It was excluded by the very

terms of the advertisement, and I had followed the very terms which Mr. Cooley had proscribed.

"The proposals were to be opened at 12 o'clock M. on the 15th of this month. I requested Mr. Browning to send down one of his clerks to be present at the opening of the bids, and I directed Mr. Mix to go and bring in the clerk. Mr. Browning sent down Mr. White, one of the chief clerks in his Department. The bids were opened by Mr. Mix, and handed to Mr. White, and recorded by Mr. Hayden in the presence of all these gentlemen.

"After the bids were opened I said to the gentlemen present, that if any of them wanted further information, or had not taken sufficient memoranda they could now do so; but they were all satisfied. I then stated to them that I was very anxious to reform the system of purchasing goods in the particulars that I have stated: First, To get a better quality of goods than had been furnished for some years past, and secondly, I told them that I wanted in every instance to get American manufactured goods in lieu of foreign goods. There was, of course, a great deal of objection to that, because that rule would exclude many of the bidders. In answer to a question whether I would adopt that rule arbitrarily or not? I said no; that in some cases the disproportion in price might be so great as to compel me to take foreign goods instead of American, but that at a reasonable difference I would feel obliged to give the preference to American goods. I then told them that a sample-room had been provided; that the samples would all be assorted there, and that at a certain time they could go in and examine them. I understood that this had not been done heretofore.

"I will state here that I knew none of these bidders excepting one or two, whom I knew as outside gentlemen and not as bidders. In every instance where they had been pressing on me, I had invariably referred them to Mr. Mix, telling them that I had no experience in this business at all, and that whatever Mr. Mix's decision might be, that would be my decision. I had only certain general views about it.

"The bids were opened on Saturday last. I do not recollect now whether they were examined on Saturday or not, as I did not go into the sample-room for some days; but upon the day when the bids were examined, or at some time before that, I requested Mr. Browning to appoint an expert to examine the goods, as I was not a merchant myself. Mr. Browning appointed a young gentleman as a competent man, and of course his appointment was binding on me.

"*Question.* What was the name of the person so appointed?

"*Answer.* Jonas. He is here now in the room.

"Mr. Mix and others examined the samples, and on Monday, when the bidders were to examine them, I went in with them and we examined them all. My examination did not amount to a great deal. I told them that I would consult with Mr. Mix and communicate with them in a day or two.

"The bids for Class No. 1 varied from \$51,000 and a fraction to \$171,000 and a fraction, making a difference of \$120,000 in the prices of that class of goods."

"By Mr. HENDERSON:

"*Question.* On the same amount of goods?

"*Answer.* On the same quantity, the only difference being as to the quality. And here I will read an abstract of the bids for the 1st Class, which the Committee can compare with the bids themselves. These are the amounts of the different bids: \$94,000, \$97,000, \$80,000, \$94,000, \$121,000, \$96,000, \$171,000, \$51,000, \$96,000, \$108,000, \$99,000, \$102,000, \$104,000, and \$121,000.

"The bids for the 2d Class, which was composed of list cloth—a cloth used by the Indians—varied from \$28,000 to \$49,000. The bids were \$32,000,

\$28,000, \$32,000, \$28,000, \$19,000, \$36,000, \$37,000, \$32,000, and \$35,000."

One of the gentlemen of the Committee (Mr. Clarke) seems to be under the impression that there is no difference between Indian cloths and other cloths. There is a very great difference, and I think I have established that fact. One of the fundamental differences is, that cloths for ordinary use are dyed in the wool, while Indian cloths are dyed after they are made. It is made differently, pressed differently, and dyed differently: and yet those experts from New York who were examined did not know the difference.

"On the 3d Class, composed of dry goods, the bids varied from \$69,000 to \$121,000. They were: \$80,000, \$69,000, \$77,000, \$78,000, \$121,000, \$79,000, \$69,000, \$82,000, \$112,000, \$77,000, \$76,000, and \$71,000.

"The Lardware item was a very small one, amounting only to \$8,000 or \$9,000, and no bid was put in for it that was actually accepted. The knives, of which samples were sent in, were very inferior, so that we could not accept them. They were only cast iron, and not worth \$1.50 a dozen. I paid but little attention to them. I decided in favor of Mr. Hunt's axes. They were the only axes in the whole lot that are known as Collins' axes. His bid was no higher than the others, but we took his bid, and he agreed to put in Russell's butcher knives, which are the ones always used by the Indians. My decision in the case of these contracts was made after a careful examination of the goods with Mr. Mix, Mr. Jonas, and Mr. Bent, who has been for forty years an Indian trader, and who had no interest whatever in the bids. They all pronounced Mr. Bates' goods, in the first class, to be first class goods. Mr. Bates put in two bids, one at \$90,000 and one at \$108,000. The latter bid was higher than some, and lower than others, but his goods were infinitely better than the others. He had splendid samples of white blankets, scarlet blankets, and blue blankets. None of the other samples would compare with them at all. His goods, too, are of American manufacture and materials."

I was informed, and so believed, and the testimony shows that my belief was well founded. I did not pretend to be a judge myself. I was so informed, and might have been deceived; but it so turns out that I was not deceived.

"In order to be very cautious in the matter, I reserved my decision for a whole week, so as to get the opinion of some old merchants, who could go with me and Mr. Jonas and examine the goods and advise with me whether to take the bid for \$108,000, or the bid for \$90,000."

The Committee will recollect that, Mr. Bates having put in two bids for the first class of goods, one of \$108,000 and one for \$90,000, I accepted those bids, but reserved my decision as to whether I should take the \$90,000 bid or the \$108,000 bid, until I had time to consult somebody in whom I had confidence. It is not true in point of fact that I have taken the \$108,000 bid. I left the question open. I had one week in which to decide the question, which I thought would be ample time. It was done openly and above-board, with no secrecy about it. Whether my right still continues I cannot say, but I presume there will be no objection to it. I have not spoken to Mr. Bates since about it.

"*Question.* Mr. Bates, then, had two bids?"

"*Answer.* Yes, sir. I consulted with Mr. Mix, and he said that there was no objection to that; he said that any one could put in two bids, if he put in two different samples. Mr. Bates complied with the law, in leaving samples for all the articles for which he offered bids.

"Only three of the samples out of the whole lot came up to what was required. Those were the samples of Mr. Bates, Mr. Evans, and Mr. McKnight. All the

others were remarkably inferior. The goods of Stettauer & Bro., and of Perry Fuller, were inferior to the rest. The goods of Buckley, Shelden & Co. were also inferior, but they were better than those of Stettauer or of Fuller. The experts rejected all the samples except the three I have named. It was then a contest which of those three parties—Bates, McKnight or Evans—should get the contract.”

There were only three samples that approached anything like the blankets I wanted—Bates’, Evans’, and McKnight’s. Bates’ is of American manufacture, made all of American wool. I was informed that the blue was an indigo blue blanket. The chemical test made before the Committee, proves that it is so. The others were of American manufacture, but partly of foreign material. Their blue blankets were very inferior, and so were their scarlet blankets. Their blue blanket was a logwood-dyed blue, while Bates’ was an indigo-dyed blue: and the tests made here yesterday prove those facts.

“Before I made the decision I got Mr. Browning to come down and look at the goods. He said that he was no judge of goods, but I said I was very anxious to get him down, and I related to him all the circumstances, and he approved of my course.

“In regard to class No. 2, I determined to give the contract to Mr. Bates, for the reason that the samples furnished by him were all of a superior quality. These men (Bates & Co.) are regular merchants, and have always the goods on hand, and, as I had reserved the right of increasing the orders, it was desirable to give the contract to manufacturers themselves, and have always the goods on hand. If you give the contract to speculators, and afterwards find that you want to increase the quantity, you cannot, probably, get the same class of goods from them, for they must go into the market to buy them.”

I will here state, that according to the former proposal, nobody could put in a bid unless he was a wholesale dealer or manufacturer. I changed it so as to let everybody put in bids. I was told, by one of my predecessors, that I committed a great error in that, because as soon as I opened the bids to everybody, proposals would be put in by persons who would not comply with their contract unless it paid them all the time. I am now satisfied that in that respect I did commit an error, and that contracts for these goods should be confined to manufacturers and wholesale dealers. Mr. McKnight was not a manufacturer or wholesale-dealer. Mr. Evans is not a manufacturer of blankets, and he could not tell me, when examined, and would not tell anybody where he got his sample. The Committee will recollect that he declined to state on his examination where he got his blanket; but it was a Dobson blanket, made of foreign wool. He was afraid that he would not be able to supply that blanket and so he declined to tell the Committee where he got it. Now, how could I trust him to triplicate his contract? I would not take his blanket because I was informed that it was made of foreign wool, in part. I would not take his cloth, because his bid did not say that he was going to put in a thread of American wool. They were foreign samples, made in England, and I wanted American goods. He would not tell you where he got his sample. Why? Because he could not furnish the same blankets. I therefore determined to give the contract to Mr. Bates, because I was told that his samples were the best. The only three bidders that came up at all to anything I required, were those three—Bates, Evans, and McKnight; but in the choice between them I gave the preference to Bates for the reasons stated.

“As to the 3d class of goods—the dry-goods—the bids varied from \$69,000 to \$121,000. Mr. Farwell put in two bids, one for \$79,000 and the other for \$69,000. I looked at his samples and have not yet decided, as I have one week to do so.”

Let me draw the attention of the Committee to this point. Why did these men put in bids varying so much? It was because, while putting in one sample of goods, they intended to supply another kind. Do you think that a man who offers to supply blankets at \$51,000 which others offer at \$100,000 and \$170,000, will not cheat if he gets the contract? How can it be prevented? I do not care how good a merchant he may be, if he makes a contract with a man who intends to cheat him, he cannot prevent his doing so. He may examine a few samples; but where there are 500 or 600 bales of blankets and dry-goods to be received, how is he going to prevent fraud? Can he open all these packages of blankets and inspect them? They cannot be opened, for they would have to be put in a press to get them together again. He must trust his contractor. He cannot find out the fraud until the goods have gone to the Indians and been distributed; and when the contractor has received his money and you find he has given you bad goods, you may whistle after your money. In illustration of this, I cite the case of Buckley, Sheldon & Co. I have no feeling against these men. I never heard of them in my life before. I do not know them personally, politically, or any other way. I have proven to the Committee that they had a contract to furnish last year 6,900 blankets, with a right reserved to the Bureau to triplicate that quantity, which made nearly 21,000 blankets, which they were to furnish at contract price; and yet they furnished less than 6,000 blankets under the contract, at \$10 00 a pair, while they furnished upward of 5,000 in open market, an inferior article, at \$13 00 a pair. Now, the question arises, did they violate the contract? I think, as Commissioner, that they did. It may be that in law they did not. It may be that it was my predecessor who committed the fault, and that, instead of calling on these men to comply with the terms of their contract, he called upon them to furnish goods in open market. But I take the common sense ground that, having entered into the contract, they were bound as honorable men to furnish goods of the same quality in open market as at contract price. There might be a suit instituted against them; but what would it amount to? The law says that they shall be liable in damages to fifteen per cent.; but what do they care for that, when they furnish blankets worth \$2 00, and charge \$13 00 for them. Therefore I say, you must not only depend upon your contract, but you must also, if you are a prudent officer, look a good deal to the men you contract with. I was governed a good deal by that view, and I think that any prudent business man would act so.

"I may have committed an error of judgment in the matter, but I took unusual pains to make a correct decision."

I never pretended to be a merchant or a good judge of such things, although I believe I am as competent a judge as some of those fellows who have been rotted down here from New York as experts.

By Mr. DAVIS:

"Question. Did I understand you to say that Mr. Stettaner's samples were all foreign goods?"

"Answer. I understood so from Mr. Jonas. Mr. Stettaner demanded to get his samples to take them away.

"Question. Was not his request or demand to be allowed to pack them up himself, so that they could not be changed in his absence?"

"Answer. I was very careful in this arrangement about the samples. Mr. Stettaner insisted on having his samples returned to him. I told him I would pay him for them, but that I would keep them. He said, then, that if he could not get them back, he claimed the right of packing them. But his first application was to withdraw the samples entirely. That demand was made by many others as

well as by him. I think there should be an accumulation of samples in the office as a guide for the Department in giving out future contracts.

“Ques. I ask whether his demand was not that his samples should be so packed that they could be identified?

“Ans. He claimed the right of withdrawing them. I may have thought it was, perhaps, a little arbitrary to keep them under such circumstances, but yet I kept them.

“Ques. Was there any objection to the bid of Stettauer & Bro., except as to the quality of their goods?

“Ans. I was very much annoyed by Mr. Stettauer. His conduct was very improper. I would not voluntarily mention it, but if you want to know about it I will tell it, although it is very unpleasant for me to do it. I was informed that improper appliances were being used to secure the success of Stettauer's bid. I was informed that bribery was being used by him, and that advances were being made, which I deemed improper. None such were made to me.

“Ques. Was his bid rejected on account of any such conduct, or was it rejected because you considered his articles inferior?

“Ans. Because I considered his articles inferior.

“Ques. You had no objection to the firm?

“Ans. I never heard of the firm before. As I came out of the Interior Department one day I met Mr. Perry Fuller, with whom I was acquainted, and he made application to me to have the samples of Buckley, Sheldon & Co., and he wanted to know if I had any objection to that arrangement. I replied, in general terms, that I had no objection, and could see no harm in making the transfer, and that, if upon further examination I found it to be wrong, I could have it checked. He then made application in writing to have the samples of Buckley, Sheldon & Co. transferred to Stettauer & Bro. But, after considering the matter, I thought the transfer should not be made. But the transfer was made of Buckley, Sheldon & Co's samples to Stettauer & Bro.

“Stettauer himself admitted that his samples were inferior, and therefore he wanted the samples of Buckley, Sheldon & Co. in place of his own. On consultation, I decided that the transfer was not right, as it would work great injustice to other parties.

“Ques. In what respect would it work injustice to other parties?

“Ans. Where bids are given on samples I consider it unjust to allow those samples to be swapped about in this manner.

“Ques. Did this take place after the bids were examined?

“Ans. Yes. After Stettauer made up his mind that his own samples were inferior.

“Ques. He never informed you—did he—that he considered his samples inferior?

“Ans. He informed Mr. Jonas, and Mr. Jonas informed me. I saw very little of these parties. I walked about the sample-room and stayed there for a few moments. In former years the competitors had been confined to wholesale dealers and manufacturers, but I thought it should be open to all to compete, and that is the reason why the competition this year is so general. In former times nine-tenths of these competitors would have been excluded.”

In that respect I think I committed an error. I think competition should be confined to wholesale dealers and manufacturers.

“Ques. Were any bidders excluded except Buckley, Sheldon & Co. for any reason whatever?

“Ans. No, sir. Their house furnished the inferior goods last year, and therefore they were excluded.

“Ques. Was not a bid from Mr. Fitzpatrick thrown out?

Ans. No, sir. There was no objection raised to Mr. Fitzpatrick's bid.

"In reference to these samples a manufacturer, named Kingsbury, came here from Hartford, Connecticut, but got here too late to put in a bid for the cloths. I showed him the cloths that I had contracted for, and he said that I had made an admirable selection, and that the price was lower than he had intended to offer them for. He said that there was a great difference between American and English manufactured articles of this kind, and he explained to me the difference, which I do not now recollect. The American article, I believe, is superior in the filling and warp, but I do not understand the particulars.

"He said, however, that the decision I had made was a most admirable one.

"Mr. Wheeler, in a conversation with me, stated that the goods furnished by Buckley, Sheldon & Co. under the contract were good, but that the goods afterwards furnished by them, purchased in open market, may have been inferior, although the price of the contract goods was only ten dollars a pair, and the others were thirteen dollars a pair."

They claim that these goods furnished in open market did not come under the contract. They admit that the goods were inferior, but say that that was a matter between them and Mr. Cooley. A man who would act thus ought to get no more contracts. I would not give them to him as a private man, and will not as Indian Commissioner.

"As I have already stated, I have evidence in the office that the goods furnished to the Indians last year throughout the whole country were very inferior.

Ques. In open market, does not every seller get as much as he can for his goods?

Ans. Yes.

Ques. Give the names in full of the parties appointed by you or by the Secretary of the Interior to examine these goods?

Ans. There was only one party appointed, and that was Mr. Jonas.

Ques. Was he appointed by the Secretary of the Interior?

Ans. Yes, sir.

Ques. Was the award made on the representation of the Committee, or was it made on your own judgment?

Ans. It was made on my own judgment. I have never seen any Committee on that subject. I will give the whole history of the matter. I consulted with Mr. Mix, who has been in the Bureau for thirty years, and with Mr. Jonas about these bids. All the bids but three were considered out of the way, the samples being inferior. That is in reference to the first-class goods. The difficulty lay in deciding afterwards which of these three should get the contract. The blankets of all three were good, especially the white blanket, but the blue and scarlet blankets of Bates were the best, and we consequently concluded to give the contract to Bates. There was only a difference of about fifty cents a blanket in the price, and I thought that his blankets were well worth that difference.

Ques. Have you determined which of Mr. Bates' bids you will accept?

Ans. I have been precluded from making any determination upon that point by the resolution of the House. I have certainly determined to secure Indian goods of good quality at reasonable prices.

Ques. You have simply decided that Mr. Bates shall have a contract under one of his bids, but you have not decided under which one?

Ans. Yes, sir. I have so decided. My opinion is, that he should have a contract under the \$108,000 bid, as that is, perhaps, the best for the Government, although it may appear a little higher than the other bids.

By Mr. HART:

Question. State to the Committee what the usual amount of goods purchased for the Indians is.

Answer. Last year there was about \$300,000 worth bought at contract prices. Add to that the goods bought in open market, and some goods purchased for the Navajoes, and the total sum would amount to about between \$500,000 and \$600,000.

Ques. Would that sum cover the whole amount?

Ans. I think so.

Ques. You stated in your examination that there were a certain class of goods called for in the advertisement which were not wanted by the Indians. How much calico has been purchased for them heretofore?

Ans. An immense quantity.

Ques. Had calico been always purchased for the use of the Indians?

Ans. I understood so; for some years.

Ques. And this the first exceptional case where it has not been purchased?

Ans. Yes, sir; within the last four years..

Ques. Have any of these contracts been signed yet?

Ans. No, sir. When I got notice of this resolution of the House I came to a full stop at once.

Ques. Have any of these goods been furnished?

Ans. Not a dollar's worth. The decision of the Department was, that the resolution of the House was not binding on me; that the law having been passed I should obey it. But still I do not want to take that ground, and I have accordingly suspended operations until this matter is disposed of.

Ques. Do you propose to go on with it before the close of this investigation?

Ans. I would rather not."

(Without the conclusion of Mr. Bogy's argument, the Committee adjourned until Monday the 14th of January, 1867.)

MONDAY, January 14, 1867.

Mr. BOGY, resuming the argument in his own defence, said:

With a view of consuming as little time of the Committee as may be in the resumption of my remarks, I will, instead of commenting on the testimony of Mr. Mix, read it as part of my speech. The Committee will recollect I stated, that before I made any awards I called around me those aids and helps that were afforded me, consisting of an expert appointed by Mr. Browning, (and whom I believe to be very competent,) and Mr. Mix, who has been Chief Clerk of that Bureau for some thirty years, I, myself, really pretending to know very little about goods. I also stated that it had not heretofore been usual for the Commissioner so to act; that no expert had been heretofore appointed by the Secretary of the Interior, and that not even the Chief Clerk had been consulted before making the awards. I consulted those men as the helps which the law afforded me, showing that I did not intend to do anything very secretly.

Here is the testimony of Mr. Mix:

"WASHINGTON, D. C., December 21, 1866.

"CHAS. E. MIX, sworn and examined.

"By COMMISSIONER BOGY:

"Question. What is your occupation?

Answer. I occupy the position of Chief Clerk in the Indian Bureau.

Ques. Did I not tell these bidders to go to you in every case?

Ans. You did.

Ques. Will you state whether for some days prior to the bids being opened, when these merchants came to see me, were they not all turned over to you?

Ans. Yes. About that time one or two persons came to me and wanted information regarding the character of the goods, and I referred them to you. They afterwards came back and stated they had been referred to me by you. I then had a conversation with you, and you said that in all cases of that kind you were determined to consign them all to me, and that I was to give them any information they desired.

Ques. Did I not tell you my view of public policy, as to whether we should have foreign or American goods; and did I not tell you that your decision and that of the expert would be my decision; and that I wanted you to be very careful in your examination of these goods, for that I would conform to what you would do?

Ans. You did.

Ques. Was that afterwards in good faith carried out?

Ans. It was.

Ques. In my conversation with you you stated the goods supplied the Indians for some time past and before you came into office were bad, and you were determined they should have a first-rate article, the best the market could afford. Did not you and Mr. Jonas and I make a very careful examination of these goods and finally settle upon three that were far better than the rest—McKnight's, Bates', and Evans'? And did we not, after some discussion, decide on giving it to Mr. Bates? State your recollection of what took place at that time.

Ans. Yes, sir. We did so, on the 15th of December, between twelve and one P. M. I was sent by the Commissioner to get the bids and have a clerk register them. Mr. White, of the Interior Department, had been detailed by the Secretary to be present. The Commissioner asked me to open the bids. I think there were twenty-seven or twenty-nine of them. I took and cut the cords and announced the names of the parties and the character of their bids as regarded class, and thereupon Mr. Hayden put it down and responded to my call, to see that it was correct, and I handed the envelope containing the bids to Mr. White. The Commissioner, when all was finished, said that from the great number of bids it would take some time, probably two or three days, before he could designate who would get the contract. The bids had to be sealed to arrive at a decision. The Commissioner also said he did not intend to be governed by the lowest bid, for he intended to have the best articles he could get.

Ques. Did I not state I would prefer articles of home manufacture?

Ans. That was understood at the time. On Monday morning I had the room prepared, and had the samples laid out that were up to that time in boxes. Mr. Jonas then appeared, and for the first time stated he was present as the special appointee of the Secretary, to examine these goods; and, after a conference between the Commissioner and me, it was agreed to open the bids. I will not be positive, but I think it was on the evening of that day some of the bidders indicated a desire to see the respective samples, and the Commissioner agreed that they might all be invited to do so. I think I suggested, but I will not be positive whether it was I did so or not, that as Mr. Bent was present, he should be called in to express his opinion of the goods. He was called on and examined the articles, and the Commissioner asked his opinion after they had gone over the goods together, as he considered his opinion a good one. The Commissioner called his attention to the Mackinac blankets, and Mr. Bent gave his decision in favor of what was understood to be a domestic one, without seeing the bids or knowing the prices. Finally, after scaling and ascertaining the different bids, the question came up as to the quality, and it was determined to give the Indians the best article, without reference to price. The Commissioner went up to see Mr. Browning, and Mr. Browning accompanied him down and looked over the goods and concurred in the opinion that had been expressed by the Commissioner.

“Ques. Did not Mr. Bent say Mr. Bates’ samples were the best?”

“Ans. Not regarding myself as an expert, I called the attention of Mr. Bent to several of the articles, some of which I understood were foreign articles, but he unhesitatingly referred me back to Bates’ as being the best. The question afterwards arose regarding Evans’ colored blankets as compared with Bates’, but Mr. Bent decided that Evans’ were not indigo blue and would fade. It was determined then to have the best article without reference to price, and the Commissioner said the Indian should have a good article for once.”

That is the testimony of Mr. Mix. I read it here to show that, although I, as Commissioner, had the sole power, and that, had I been disposed to act fraudulently, I could have gone on in a very quiet manner and given the awards to whom I pleased. Instead of doing that, what is it that I do? I call upon Mr. Browning to appoint for me an expert, which is certainly not an evidence of fraud on my part. I call upon Mr. Mix, the Chief Clerk, and say to him “You have been here for thirty years, and are familiar with the business. I am a new comer. I wish you to be very particular, because, in the main, your decision will be my decision.” It was under those circumstances I made the awards. One of the objects that I had in view was to give to those Indians good articles, as the testimony in my office is overwhelming that for some years past they have received most infamous articles of merchandise. Another object that I had in view was to give to the American Indian American goods, made up of American raw material. It made no difference to me whether the Government paid \$15,000 or \$20,000 additional, more or less, for a year or two, provided we gave encouragement to native manufactures. Believing that under the law I had the right to do so, it was done openly and above-board; and I think I did right.

I will now pass to the testimony of Mr. Dobson. I read the testimony of Mr. Mix to show that I was sustained in what I did. I could read the testimony of Mr. Bent in the same connection, but it would take a good deal of time. It is proper, however, that I should state—as some members of the Committee are now listening to me who were not present at the examination—something about it.

Mr. Wm. Bent, of St. Louis, is an old Indian trader, has been engaged in that business for thirty-eight years, has been frequently a commissioner appointed by the Government under various Administrations, has been Indian agent, has been all his life time connected with Indian business, and is a very intelligent gentleman. He was a witness before this Committee. Having no interest and no connection whatever in the matter, but being here as a special commissioner, appointed by my predecessor, to make a report, I called him in to advise me in the matter, and his testimony concurred with that of Mr. Mix, that Mr. Bates’ goods were the best. He was the first man to inform me that the only indigo blue blanket in the room was Mr. Bates’. I, myself, did not pretend, and do not pretend now, to know a logwood blanket from an indigo blanket. He told me he was satisfied that the only blanket dyed with indigo was the blanket of Bates. That being so, and my advertisement being for indigo blue blankets, I was compelled to take that blanket and no other. I did not advertise for logwood blue blankets. I advertised for indigo blue blankets. My predecessors have done so; and for time immemorial that has been the custom. Therefore, if it be true—and I think the Committee will be satisfied that it is true—that the only indigo blue blanket in the room was that of Mr. Bates, it is the end of the whole controversy so far as blankets are concerned. I do not think the Committee can entertain a moment’s doubt on the subject, when it looks at the testimony and compares the statements that it is an indigo blanket with the statements that it is not. I will now read the testimony of Mr. Dobson.

WASHINGTON, D. C., *January 5, 1867.*

JOHN DOBSON, sworn and examined.

By COMMISSIONER BOGY:

Question. Where do you reside, and what is your business?

Answer. I reside in Philadelphia, and I am a manufacturer and dealer in wool. I have, in fact, a great many sorts of business. I am, I believe, the largest exporter of rags in the United States.

Ques. Are you a manufacturer of woolen goods?

Ans. Yes. I have three factories—one for blankets, one for cloths, and one for other goods.

Ques. You were brought up to this business in England, and understand it pretty well?

Ans. Yes, sir.

Ques. Did you examine the samples in the office of the Commissioner of Indian Affairs this morning?

Ans. I did.

Ques. Did you recognize any of them as your own manufacture?

Ans. Yes. Four of the samples were of my own manufacture.

Ques. Can you name the four?

Ans. Yes. Bates', Evans', McKnight's, and Anderson's.

Ques. Are all the samples of your manufacture of the same quality?

Ans. No. They are not.

Ques. Are any of the others furnished of an equally good quality with Mr. Bates'?

Ans. No. I never made any for the trade as good as them.

Ques. Then, taking Bates' as a standard of the blankets made by yourself, they are the best?

Ans. Yes.

Ques. Do you include in that the blue, white, and red blankets?

Ans. I do.

Ques. State the difference in the quality between Bates' and Evans' blankets?

Ans. Mr. Bates' is all domestic wool: one-half pulled out wool, and the other half fleece wool. Mr. Evans' is seventy-five per cent. domestic wool, and twenty-five per cent. Russian noyles.

Ques. Russian noyles is an inferior quality of wool?

Ans. Yes.

Ques. Seventy-five per cent. of Evans' is domestic wool, and twenty-five per cent. Russian noyles, which is an inferior quality?

Ans. Yes.

Ques. Does this run through all the blankets of Mr. Evans?

Ans. Yes.

Ques. What is the difference in value between Bates' and Evans' in dollars and cents?

Ans. The blue blanket of Bates'—an indigo blue—costs twenty cents a pound more to dye than Mr. Evans'. A logwood blue only costs three to four cents a pound to dye.

Ques. An indigo blue blanket costs twenty cents more per pound to

dye than a logwood one; that would make a difference of one dollar and sixty cents in an eight-pound blanket?

Ans. Yes.

Ques. Mr. Bates' blanket is an indigo blue?

Ans. Yes.

Ques. What is Mr. Evans'?

Ans. It is a logwood blue.

Ques. Then there is a difference of twenty cents a pound in the dying between the two?

Ans. Yes.

Ques. That you know as being a manufacturer?

Ans. Yes.

Ques. State the difference between Bates' white blanket and Evans'.

Ans. The difference in price would be about fifteen cents per pound, which is equal to \$1.20 on an eight-pound blanket.

Ques. Now, as to the scarlet blanket; state the difference in value in dollar and cents.

Ans. The difference in dyeing would be about three cents; and fifteen cents difference in the quality, would make eighteen cents per pound difference.

Ques. You think there is a difference of eighteen cents per pound between them?

Ans. I don't think it; I know it.

Ques. What is the difference in the quality of the wool used in those blankets?

Ans. The difference in the white is fifteen cents a pound, and it is the same on the others.

Ques. Then, this fifteen cents difference is to be added to the difference in the dying?

Ans. Yes.

Ques. Then there is really thirty-five cents difference per pound in the quality of the indigo-blue blanket?

Ans. Yes.

Ques. Compare McKnight's blankets with Evans'. Are they the same?

Ans. No.

Ques. How do they compare?

Ans. McKnight's are made from foreign, East Indian, and Russian wool.

Ques. Does that apply to his white and colored blankets?

Ans. The white is a little more East Indian than the scarlet.

Ques. Is the East Indian wool as good as the American wool?

Ans. No.

Ques. Is it much inferior and much cheaper?

Ans. Yes.

Ques. Does it make an article at all as lasting as American wool does?

Ans. No, sir.

Ques. What difference do you make between Bates' and McKnight's blue blankets?

Ans. It would be, at the lowest calculation, forty to fifty cents per pound.

Ques. How is it on the white?

Ans. About thirty cents.

Ques. How is it between the scarlet blankets of the two?

Ans. The scarlet blanket of McKnight is a very poor blanket?

Ques. What is the difference between the two?

Ans. For the trade, you would not think there is as much difference as there is.

But, taking them for the value, there is at least a difference of forty cents a pound.

Ques. State how Mr. Stettauer's, or Buckley, Sheldon & Co's, samples compare with Mr. Evans' samples. Are Stettauer's samples as good as Evans'?

Ans. No, sir; there is a difference of twenty-five cents a pound.

Ques. Evans' are that much better than Stettauer's, or Buckley, Sheldon & Co's?

Ans. Yes, sir.

Ques. Are Buckley, Sheldon & Co's foreign or domestic?

Ans. They are foreign.

Ques. Are they inferior?

Ans. Yes; that is, the scarlet blanket; his white was a little better.

Ques. Is that white one an inferior one, or a superior one?

Ans. It is a medium blanket.

Ques. How is his blue blanket?

Ans. I don't recollect seeing a blue blanket there.

Ques. You examined Rink & Anderson's samples? Most of them were made by you?

Ans. I examined them. Some of them are made by me, and some of them are foreign?

Ques. Are yours better than the foreign?

Ans. They are.

Ques. Are the Rink & Anderson American blankets as good as Evans', McKnight's, or Bates'?

Ans. No. Evans' is next best to Bates'. I made three qualities of blankets; for I had to make them to suit the trade, &c., to fight the imported ones. Of course I had to make them up of such wool as I could put in to sell. Rink & Anderson's were made, I think, about last September, and since then I have used a better quality of wool, and tried to improve. Wool has kept falling since, and I took advantage of that to make them better.

Ques. The American blanket of Rink & Anderson's is not as good as Evans'?

Ans. No.

Ques. Is it as good as McKnight's?

Ans. I think it is.

Ques. What is it made of?

Ans. Partly of domestic, and partly of foreign wool.

Ques. How does his foreign blanket compare with Bates' blanket.

Ans. There are no foreign ones there as good as any of the domestic

ones. I have no interest in the matter but to state the truth. I am not in any way interested with the contractors. I have no engagement with them, or any contract with them, but am open to sell to any one.

Ques. Is there any advantage in using fine wool in making blankets?

Ans. Yes.

Ques. Well, what is the advantage?

Ans. Fine wool has a great many fibres, and they all unite together to form a good body.

Ques. Is that the case in Mr. Bates' blankets? Has it more fibres than the other, as it is finer?

Ans. Yes, sir.

Ques. Are Bates' blankets injured by being so much drawn out—by being teasled, as I think it is called?

Ans. No, sir; I don't think they are. No foreign blanket will stand the teaseling that Bates' will.

Ques. What is teaseling?

Ans. It is a kind of large burr put on in finishing the cloth—it is a way of raising the surface of the wool.

To Mr. HENDERSON: It draws out more of the fibres from the thread.

By COMMISSIONER BOGY:

Ques. Are the Bates' blankets an indigo blue.

Ans. Yes.

Ques. Have you ever made Indian cloths?

Ans. Yes.

Ques. Did you examine the cloths of Bates, Evans & Stettauer's?

Ans. I did.

Ques. You examined the blue, scarlet, and gray cloths. Which of these do you think is the best?

Ans. The scarlet cloth of Bates' is finer and a little lighter, but a better quality cloth.

Ques. How does Bates' scarlet compare with Evans'?

Ans. Well, I could hardly judge, as Evans had such a small sample there.

Ques. All the samples of cloth there are foreign cloth?

Ans. Yes.

Ques. You examined all these samples yourself?

Ans. Yes.

Ques. Which of the samples—Evans', Bates', or Stettauer's—are the best, taking them as a whole; and what is the difference in value per yard between them?

Ans. Mr. Bates' is the best, and then Evans' is next, but it is hard to say, as it is such a small sample.

Ques. Mr. Bates' is of finer wool?

Ans. Yes.

Ques. What is the difference between his sample and Stettauer's in dollars and cents?

Ans. From twenty-five to thirty-five cents; a little more in the blue.

Ques. Can you make these American cloths?

Ans. Yes.

Ques. Suppose they furnished me an American cloth—a scarlet—at sixteen ounces to the yard, how much more would it be worth?

Ans. From forty to fifty cents per yard.

Ques. A cloth made from common American fleece wool would be worth from forty to fifty cents a yard more than those samples exhibited by Bates?

Ans. Yes

Ques. How would the cloth you would make for this contract compare with those of Bates?

Ans. It would be better than any of those parties. I have no contract with Bates.

Ques. I was speaking of American as being better than foreign; they would be better than foreign of the same price?

Ans. Of course. We are young in the business. The foreign cloths have fifty per cent. of shoddy in them; all of them have. I have examined them very closely.

Ques. All these foreign cloths have shoddy in them. Is there any in the scarlet?

Ans. It could not be well put into the scarlet on account of the dye.

Ques. If the cloth was made of fine wool, and weighed sixteen ounces per yard, would it be better than the Bates samples?

Ans. Yes; from forty to fifty cents.

Ques. Are the samples on exhibition foreign or domestic?

Ans. They are all foreign.

Ques. You are not a judge of dry goods?

Ans. No; it is not my business.

Ques. You consider these blankets of Mr. Bates at ten dollars a reasonable price?

Ans. I have nothing to say about what I think is reasonable. If you ask about the quality I will tell you. What Mr. Bates offers them to you for, or anybody else, is none of my business.

Ques. The price of Evans' is nine dollars; McKnight's, nine dollars and thirty-six cents, and Bates' ten dollars. Which of these is the cheapest at these prices?

Ans. Mr. Bates'.

Ques. Mr. Bates', at ten dollars, are cheaper than the others at the prices they put them in for?

Ans. Yes.

WASHINGTON, D. C., January 7, 1867.

JOHN DOBSON, recalled and examined.

By Mr. DAVIS:

Question. Which sample of blanket ranks next to Bates', in your estimation?

Answer. Evans'.

Ques. State the difference between Bates' and Evans' blanket in dollars and cents.

Ans. The difference is about fifteen cents a pound in the white, but the difference in the indigo is about thirty-seven and a half cents between the blue and the white.

Ques. Which ranks next to Mr. Evans' in the descending grade?

Ans. McKnight's.

Ques. State the difference between Evans' and McKnight's in dollars and cents.

Ans. It is some two and a half to five cents a pound.

Ques. The same with the blue, scarlet, and white?

Ans. Yes, sir.

Ques. Which ranks next to McKnight's?

Ans. Anderson's is equal to McKnight's.

Ques. Give us the difference between Anderson's and McKnight's in dollars and cents.

Ans. There is no difference at all; they are the same samples.

Ques. Now, What is the difference between Anderson's and Stettauer's, or those that were pointed out to you as Stettauer's?

Ans. Twenty-five to thirty cents, at the least calculation.

Ques. Does that hold good of each kind of blanket?

Ans. It is an average, putting them altogether.

Ques. Did you see any blue blanket in Stettauer's?

Ans. Yes, sir. I saw one this morning.

Ques. You did not see it the other day?

Ans. No, sir; but the Commissioner requested me to go up this morning and examine it, which I did.

Ques. Who were present when you first examined these blankets in the Indian office?

Ans. I did not know the men apart. They were all strangers to me. I did not know the Commissioner or the clerk. The only person I was acquainted with was my salesman, Mr. Wilson.

Ques. State, as far as you can, the gentlemen who were present when you made that examination.

Ans. I could not state.

Ques. Was Commissioner Bogy there?

Ans. No, sir; I believe not.

Ques. Was Mr. Johnson?

Ans. I do not know. Col. Webb was present; I showed him the blankets, and showed him the difference in the quality. Col. Webb said he was satisfied that blanket was not as good as Bates' and that he was mistaken in the evidence he gave.

Ques. Did he state to you what day he gave the evidence?

Ans. No, sir; but he said he made a mistake in the evidence.

Ques. Did he say he was coming here to correct it?

Ans. No, sir; he did not.

Ques. Was Mr. Jones present when you made that examination?

Ans. I do not know. I could not say.

Ques. Do you know what officer in the Indian Office admitted you into the room?

Ans. A little fellow. I do not recollect his name.

Ques. I was not present?

Ans. No, sir; I believe not.

Ques. Was Mr. Fuller, Mr. Stettauer, or Mr. Evans present?

Ans. I could not say.

Ques. Who first talked to you about examining the samples?

Ans. I was telegraphed from Philadelphia.

Ques. By whom?

Ans. By Mr. Bates, I believe.

Ques. When was that?

Ans. On Friday evening.

Ques. Did you get any other request to come except from Mr. Bates?

Ans. No, sir.

Ques. Did you furnish the samples to either Bates, Evans, or Mc Knight, directly yourself?

Ans. I furnished the samples to Bates. He came to me and made a special arrangment with me. All the other samples were made and given from our regular goods, which we made for the market.

Ques. How long ago was it that Bates came and made that arrangement with you?

Ans. I think it was some two or three months ago.

Ques. You were to make them specially for the contract?

Ans. Yes, sir. Specially for time at least.

Ques. How many blankets for Mr. Bates' samples did you have manufactured?

Ans. I believe about six. He got three, and the other three, I believe, I have in my office.

Ques. These are all?

Ans. Yes, sir.

Ques. You have manufretured them within the last three months?

Ans. I believe so.

Ques. Are these the best blankets you have manufactured?

Ans. They are the best Indian blankets.

Ques. Are there any other Indian goods manufactured in this country?

Ans. I believe there are some in New England.

Ques. I wish simply to know whether they are better than any other Indian blankets manufactured in this country?

Ans. I believe they are.

Ques. Is there any other manufacturer who can manufacture a blanket as good as you can?

Ans. I could not say what another man could do.

Ques. At the time you manufactured Bates' blanket, what was pulled wool worth per pound?

Ans. About fifty-two cents.

Ques. At what time was it that you could buy pulled wool at fifty-two cents per pound?

Ans. About the 1st of August.

Ques. What was fleeced wool worth when you purchased that; such as they use in blankets?

Ans. About the same.

Ques. What fleeced wool was this—Ohio wool?

Ans. I bought from several States. I cannot recollect the particular wool that went into these blankets.

Ques. You stated very particularly in your direct examination the value of this wool, &c.; now I ask you if you know what quality of wool went into these blankets?

Ans. Domestic fleeced wool.

Ques. Is that all you can tell?

Ans. Yes, sir.

Ques. How much waste is there in the manufacture of wool into blankets? What is the per centage?

The witness objected to answering the question, on the ground that it would be exposing the secrets of his business.

The Committee overruled the objection.

Witness: We always calculate thirty-three and a third per cent.

By Mr. Ross:

Question. Washed or unwashed wool?

Answer. Unwashed wool.

By Mr. DAVIS:

Question. When you said you could buy this wool for fifty-two cents per pound, was that washed wool?

Answer. Yes, sir.

Ques. How much indigo does it take to color one pound of wool used in the Bates blanket?

Witness objected to answering the question, on the ground that it would be exposing his business.

The Committee overruled the objection, and the question was repeated.

Witness: My bones would crumble within the walls of a prison before I would give the evidence, except somebody's character was at stake.

The question was again repeated.

Ans. We dye some four or five hundred pounds at a time, and make calculation and figue it up to see what dyes are required for that quantity.

Ques. Cannot you easily tell what one pound cost?

Ans. It takes twenty-four cents a pound to dye that color.

Ques. What kind of indigo do you use to make that color?

Ans. Bengal indigo.

Ques. What is that worth a pound?

Ans. To-day it is worth one dollar and ninety cents in currency. Sometimes you can buy it cheaper; according as gold rates.

Ques. What is the entire expense of manufacturing a pair of the blankets?

Ans. We always work by the pound.

Ques. Then state the expense by the pound.

Ans. Outside the dyeing, my calculation is twenty-five cents per pound for the manufacture. That includes labor and manufacture.

Ques. Well, what does the labor of dyeing cost per pair?

Ans. Twenty four cents includes the labor and indigo.

Ques. What Government tax have you to pay?

Ans. Five per cent.

Ques. In what relation does Mr. Wilson stand to you?

Ans. He is my chief agent. He has a commission of three and a half per cent. on every pair of blankets I make.

Ques. Do you bale these blankets before you put them in the market; and if so, what is the cost?

Ans. Yes; twenty-five cents include the cost of bailing.

Ques. Is there any other cost in the preparation of the blanket?

Ans. No.

Ques. Take such blankets as Bates'; what would you regard as fair profit for yourself?

Ans. If I can make five per cent. I am satisfied. We generally calculate ten per cent., but sometimes we don't make five.

Ques. You said that you knew these blankets were to be used as samples. Did you know that Evans' and McKnights also were to be used as samples?

Ans. Yes.

Ques. Were any of Stettauer's made by you?

Ans. I don't believe there was a blanket.

Ques. Can you swear positively there was not?

Ans. I will swear I was not aware of one.

Ques. Did you examine over his samples as carefully as others?

Ans. Yes.

Ques. And there was no blanket manufactured by you among his blankets?

Ans. There is none that I manufactured for the last nine months. There might be one of some I made before that time, but I have not seen it. I made some very raw blankets for the Government contracts last year, and there might be one of them among the lot, but I have not seen it.

Ques. There might be one of your manufacture among Stettauer's?

Ans. There might be, but I cannot say positively.

Ques. Were you told Mr. Bogy was to make a selection from the best samples presented there?

Ans. I was not.

Ques. Can you make at your manufactory a fancy list cloth?

Ans. Yes.

Ques. Have you ever made any?

Ans. I have made all kinds. I have made this suit I have on.

Ques. Can you make a saved list cloth?

Ans. Yes. I am making it now for the market.

Ques. How much have you made?

Ans. I have made one thousand yards of saved list.

Ques. Did you make any of the samples of Mr. Bates in that cloth?

Ans. No.

By the CHAIRMAN:

Ques. What is the "saved list cloth?"

Ans. Saved list is a cloth that is dyed after being manufactured. It is rolled up close, and a cover put over it so that the dye cannot enter. The process is no benefit to it.

Ques. Do you make gray list; if so, how much have you made?

Ans. Yes.

Ques. How long have you been manufacturing it?

Ans. I made gray-list cloth in 1865, and since then I could not state how much I have made. I made enough to convince me that I can make any kind of cloth made anywhere else.

Ques. What is the technical name of the blanket of Mr. Bates—the trade name?

Ans. Mackinac blankets.

Ques. How long have you been manufacturing Mackinac blankets?

Ans. Going on two years. I have made blankets for the last seventeen years.

Ques. Did you sell large quantities of this kind of blankets?

Ans. I sold about 300 bales last year.

Ques. Did you furnish any of them for the Indian trade?

Ans. I furnish blankets to A. T. Stewart and to Claflin, of New York, and to many persons in Philadelphia.

Ques. But do you know if any of them were for the Indian trade?

Ans. I cannot speak as to that.

Ques. Do you know that any blankets as good as these were ever furnished to the Indians?

Ans. No, sir. I know one thing: I bid a year ago for that contract, and my blanket was rejected, and they got inferior goods to what I offered.

Ques. Where did you say the goods were furnished?

Ans. In New York, by Buckley, Sheldon & Co.

Ques. Then you have seen some goods that were Indian goods?

Ans. I saw Buckley, Sheldon & Co's.

Ques. Do you know these went to the Indians?

Ans. He said he bought them for that purpose.

Ques. What member of the firm told you they were Indian goods?

Ans. Mr. Wheeler told me so.

Ques. Did you tell him they were an inferior article?

Ans. I did.

Ques. Did you know where they got those blankets? Whether they bought them in open market, or got them under contract?

Ans. I don't know anything about that.

Ques. Was any person present when you told him they were an inferior blanket?

Ans. I believe Mr. Wilson was; am not sure.

Ques. Was any other person present?

Ans. No.

Ques. You say that Bates' blue was an indigo blue. Was any color in that but indigo?

Ans. No, sir; none other.

Ques. Have you made blankets that had indigo and logwood?

Ans. Yes. The heading was made with logwood.

Ques. Explain that?

Ans. You cannot dye a dark blue with indigo ; and therefore, when you want that color, you must fill up with logwood ; and also to dye the heading, which is black, you must use logwood.

Ques. Then, there is some logwood in Bates' blanket ?

Ans. Yes ; in the heading.

Ques. How much logwood is there in it ?

Ans. Not more than one per cent. It would not cost more than three cents per pound. It is just to get the black shade. We get as dark as we can with the indigo, then fill up with logwood.

Ques. Have you ever before made as good indigo blankets as these ?

Ans. No.

Ques. There is more indigo in these then ?

Ans. Yes ; the Government never received indigo blankets before—they had been swindled.

Ques. Did you put more indigo in these than you ever before put in a Mackinac blanket ?

Ans. Yes.

Ques. How much more indigo is there in this blanket than in any you made before ?

Ans. About seventeen cents a pound.

Ques. Do you know whether, in making Mackinac blankets, any person has ever before put in so much indigo as you have into Mr. Bates' ?

Ans. All blankets ought to have it in. It has either been put in, or the Government has been swindled.

Ques. Do you know of a Mackinac blue blanket ever having been manufactured with so much indigo in it for coloring matter as these ?

Ans. I never made it myself, nor do I know any one that did.

Ques. Do I understand you to say you never knew of your own knowledge of a Mackinac blanket having as much indigo in it as these ?

Ans. I never worked in a factory belonging to any one else ; so I cannot give you any information outside my own, and I never made any myself.

Ques. Are you acquainted with the Indian trade sufficiently to know what kind of goods are desirable and useful to the Indians ?

Ans. I am not myself acquainted with the trade at all, but my agents are ?

Ques. You know what kind of blankets are most serviceable for the Indians ?

Ans. Only in my own judgment. I have been a soldier, and know what wears the longest.

Ques. Are you acquainted with Mr. Bates ?

Ans. I have seen him twice before I met him in Washington.

Ques. When did you first see him ?

Ans. Two or three days before the contract was awarded.

Ques. He came to your manufactory then ?

Ans. No ; he came to the office, and I was sent for.

Ques. Is it not difficult to tell the difference between an indigo and a logwood blue ?

Ans. No, sir.

Ques. Did you not state yesterday to Mr. Davis, of New York, that it was impossible to tell the difference between an indigo blue and a logwood blue without a chemical test?

Ans. I will state the conversation that took place between Mr. Davis and myself. After the Committee adjourned yesterday, I met Mr. Davis, but did not recognize him at first. The following conversation then took place about our goods: I said, "Mr. Davis, how is it your folks have been making all these mistakes about these blankets?" He said "he was not aware I made more than one style of Mackinac blanket." He said, "I am perfectly satisfied that Bates' is best, but I was not aware but that all blankets were indigo." Said I, "I put in a bid for indigo blue last year, and they threw it out." Said he, "you can hardly tell the difference." Said I, "it takes a good judge to know the difference between logwood and indigo, but you can easily test them in a few moments by a chemical test."

Ques. Did you not state you could not tell the difference between them without a chemical test?

Ans. I did not. If we use indigo, it will always show itself to any judge who knows what indigo is.

Ques. Who permitted you to cut off these samples which you produce here? Who suggested it to you to do so?

Ans. Mr. Jonas allowed me to cut them off, of whom I had permission to do so.

Ques. Did you bring a piece of the tent-cloth with you?

Ans. No; I know nothing of dry goods.

Ques. You stated in your evidence yesterday that foreign blankets would not stand the process of teaseling. Why would they not do so?

Ans. All blankets will stand teaseling, but some will not stand it as much as others.

Ques. Then it is a fact that teaseling weakens the blanket?

Ans. Of course.

Ques. Then the more a blanket is teaseled, the weaker it gets?

Ans. Yes.

By COMMISSIONER BOGY.

Question. Tell the Committee at what price a blanket like the one of Bates' can be made, so that you can get a little profit out of it. You said it would take 24 cents a pound for the dye?

Mr. DAVIS objected on the ground that the question was leading. The objection was sustained.

Ques. What do you calculate on getting for these blankets?

Ans. I calculate on getting for the white blankets, \$1.25 per pound; for scarlet, \$1.37½; and for the Indigo blue, \$1.40 per pound.

Ques. Then an 8 pound blanket, at \$1.25 per pound, would cost \$10.

Mr. DAVIS objected, and objection sustained.

Ques. What is the price of wool now?

Ans. Forty-eight cents per pound.

Ques. With wool at that price, can you make this white blanket and make a profit?

Ans. Yes.

Ques. You can make all these blankets and sell them at a living profit, at the prices they have been mentioned at?

Ans. Yes.

Ques. Have you any interest in this contract at all?

Ans. No.

Ques. Which of these samples of blankets are the best?

Ans. Mr. Bates' samples are the best by at least 30 cents per pound, on the blue and scarlet, and 15 cents on the white.

Ques. Bates' is of American wool all through, and the rest are of mixed wool?

Ans. Yes.

By Mr. DAVIS :

Ques. What does your white blanket weigh?

Ans. My white three-point blanket weighs eight pounds, and the blue and red three-point weighs the same.

Ques. What can you make the blue and red for, and have a profit?

Ans. The blue at \$1.40 a pound, and the red from \$1.30 to 135. It depends on what I can buy the wool for.

Ques. Did Mr. Bates ask you what you were to charge him for making those blankets?

Ans. He asked me what the blankets would cost. I said I could not tell him, but that I would make them as cheap as I could. So we left the price open. I made the goods and put on a very small profit.

Ques. Have you any interest whatever in Mr. Bates' having the contract; do you care about it?

Ans. I do not care about it.

Ques. What do you care about it?

Ans. If Bates gets the contract, I expect to make his goods. If Evans gets it, I expect to make his goods. They all promised to get their goods from me.

Ques. Did Bates promise you?

Ans. He has not promised.

Ques. What did you mean when you say they all promised you?

Ans. They all said they were going to get their goods from me.

Ques. Did Bates say so?

Ans. He said he was going to get the goods from me.

Ques. Did Mr. Stettauer tell you he was going to get his goods from you?

Ans. No.

Ques. Then you are just interested to that extent, and for that reason you would like for Mr. Bates to get that contract?

Ans. I would make more if Mr. Evans would get it.

Ques. Then would you not prefer Bates would get it to Stettauer?

Ans. I have no preference.

Ques. As between Bates and Stettauer?

Ans. A man always looks to his own interest.

Ques. Then you would sooner Bates would get it than Stettauer?

Ans. Certainly I would.

The witness then stated his estimate of prices had been given at a rough calculation, and might not be within a cent or two of what he might estimate if he had figured them.

The Chairman said, if hereafter he desired to make any corrections he could do so.

Here I close, gentlemen, the testimony under which I acted. I think that, under the circumstances, I might very well rest my case here. It certainly cannot be expected that the man who holds the position of Indian Commissioner should be so perfect an adept in all thing as to commit no error. I think I am entitled to the credit of having been extremely particular and extremely successful. This testimony, however, is opposed by that of a large number of persons who came here from New York, and called themselves experts. Many of these men, it is very manifest, are not very good experts. Not one of them can tell the difference between an indigo blue blanket and a logwood blue blanket. Not one of them can tell whether a blanket contains foreign wool or domestic wool. Not one of them can tell the difference in the price of the dye between logwood and indigo. And yet they come here—these merchants bespangled with diamonds, and dressed up in splendid style—pretending to be great experts. I have nothing to say against their integrity, but they come here with great pretensions and under most peculiar influences. That is one of the things I have to contend against. All these men are engaged in the same business. They are blanket men; and it is a fact notorious to every gentleman in America, that all the blankets used for the Indian Bureau heretofore have been foreign articles. These men are all interested in maintaining that foreign trade and breaking down the American trade; and therefore they come here to try to break down these awards. One of them stated that he had sold \$10,000 worth of foreign blankets last year to Buckley, Sheldon & Co. They have been all dealing in them. It mattered not to them whether John, Peter, or Paul got the contract, they expected to supply the article, if foreign. But, in point of fact, none of them was as competent a judge as Dobson. Dobson is a manufacturer, and he swears that he had no interest whatever in the matter, and that it made no difference to him who got the contract. His only interest was, as an American manufacturer, to sell American goods; and I am sure that that is not a sufficient interest to exclude him from being a witness. He showed great competency, and explained all the operations of the business. It will be attempted to show that the manufacturing of blankets, according to the prices stated by Mr. Dobson, is a fraud; but I have made a calculation which I will submit to the committee.

Mr. BOGGS here handed in the following table:

ESTIMATED COST OF ONE POUND OF BLANKETS.

100 lb. wool cost, at 52 cents.....	\$52 00
Waste 33 lbs., leaves 67 lbs.....	52 00
Which is 78 cents per pound.	

WHITE.

1 lb. clean wool cost, as above.....	78 cents.
Manufacturing 1 lb.....	25 cents.
Government tax.....	5 cents.
	<hr/>
	\$1.08
Commission, &c., $3\frac{1}{2}$ per cent.....	03 78-100
	<hr/>
Total cost of 1 lb. white blankets.....	\$1.11 78-100

BLUE.

Expense of dyeing 1 lb indigo blue.....	24 cents.
Cost of 1 lb. white blankets, as above.....	\$1.08
Commission, $3\frac{1}{2}$ per cent.....	4 62-100
	<hr/>
Total cost of 1 lb. indigo blue blanket.....	\$1.36 62-100

SCARLET.

Expense of dyeing 1 lb. scarlet.....	15 cents.
Cost of 1 lb. white blankets, as above.....	1.08
Commission $3\frac{1}{2}$ per cent.....	4 3-100
	<hr/>
Total cost of 1 lb. scarlet blankets.....	\$1.27 3-100
Green blankets cost the same as scarlet.....	\$1.27 3-100
2,500 pair 3 pt. white, 8 lbs.....	20,000
2,500 pair $2\frac{1}{2}$ pt. white, 6 lbs.....	15,000
500 pair $1\frac{1}{2}$ pt. white, $4\frac{1}{2}$ lbs.....	2,125
	<hr/>
	37,125 lbs., at \$1 11.78-100
	<hr/>
1,000 pair 3 pt. scarlet, 8 lbs.....	8,000
500 pair $2\frac{1}{2}$ pt. scarlet, 6 lbs.....	3,000
	<hr/>
	11,000 lbs., at \$1 27.3-100,
	<hr/>
	1,600 lbs., at \$1 27.3-100,
	<hr/>
	16,000 lbs., at \$
200 pair 3 pt. green, 8 lbs.....	1,600 lbs., at \$1 27.3-100,
2,000 pairs 3 pt. indigo, 8 lbs.....	16,000 lbs., at \$
2,500 pairs $2\frac{1}{2}$ pt. indigo, 6 lbs.....	15,000 lbs.
100 pairs $1\frac{1}{2}$ pt. indigo, $4\frac{1}{2}$ lbs.....	450 lbs.
	<hr/>
	31,450 lbs., at \$1 36.62-100,
	<hr/>
	\$42,966 99
	<hr/>
	\$100,500 79
37,125 lbs. white Mackinac blankets, \$1 25.....	46,406 25
11,000 lbs. scarlet do. do. 1 45.....	15,950 00
1,600 lbs. green do. do. 1 40.....	2,240 00
31,450 lbs. indigo blue do. 1 40.....	44,030 00
	<hr/>
	\$108,625 00

Here is another calculation reduced to figures, so as to save time :

Mr. Dobson's testimony is, that—

Bates' blue blanket is worth 35 cents more than Evans' (per pound.)
 Bates' white blanket is worth 15 cents more than Evans' (per pound.)
 Bates' scarlet blanket is worth 18 cents more than Evans' (per pound.)

Also, that—

Evans' blanket is worth 25 cents a pound more than Stettauer's.

It follows that—

Bates' and Stettauer's compared thus:

Bates' blue blanket is worth 60 cents a pound more than Stettauer's.
 Bates' white blanket is worth 40 cents a pound more than Stettauer's.
 Bates' scarlet blanket is worth 43 cents a pound more than Stettauer's.

Now, then, Bates' price for blue is \$1.40; for white \$1.25; for scarlet \$1.45.

Then, Stettauer's blankets are worth, for blue, 80 cents; for white, 85 cents; and for scarlet, \$1.02.

Presuming Mr. Stettauer to have bid the above prices, and assuming his green and blue to be of same value, we have—

31,450 lbs. blue, at 80 cents.....	\$25,160 00
37,125 lbs. white, at 85 cents.....	31,556 25
11,000 lbs. scarlet, at \$1.25.....	11,220 00
1,600 lbs. green, at 80 cents.....	1,280 00

Mr. Dobson's valuation of the value of Stettauer's blankets is.....	\$69,216 25
Mr. Stettauer's bid.....	98,045 00

In other words, Mr. Dobson values Mr. Stettauer's blankets at a little over three-fourths of what Mr. Stettauer proposes to sell them for to the Indians.

Without asking the Committee to wade again into the sea of figures which the opposing counsel has presented in such formidable proportions, I submit the following tabular statement, premising that, as the Bates blankets are the very best of any offered, his proposal is made the point of comparison of prices.

**TABULAR STATEMENT OF PROPOSALS FOR ARTICLES OF THE FIRST CLASS.
(MACKINAC BLANKETS.)**

Names of Bidders.	Bids.			
O. Francis Bates.....	\$108,625.			
Zebulon Moore.....	171,353 or 58	per centum more than Bates' bid.		
De Greck & Co.....	121,183 or 12	"	"	"
Perry & Co.....	121,762 or 12	"	"	"
J. H. B. Fairman.....	104,975 or 3	"	less	"
Drinker & Anderson.....	99,117 or 9	"	"	"
Buckley, Sheldon & Co.....	97,175 or 11	"	"	"
M. Sells.....	96,800 or 11	"	"	"
W. S. McKnight.....	96,223 or 11	"	"	"
Perry Fuller.....	94,575 or 13	"	"	"
G. D. Evans.....	94,275 or 13	"	"	"
Stettauer & Bro.....	90,045 or 17	"	"	"
C. Owen.....	57,760 or 52	"	"	"

If mere price is to be taken as the governing guide in making these awards, it is certainly not Mr. Stettauer who can claim the award, but Mr. Owen, whose bid is 42 per cent. less than Stettauer's; and I will venture to assert further, that I can buy rejected Army Hospital trash at still another 42 per cent. reduction on Mr. Owen's bid. But if, in dispensing the money belonging to the Indians, neither their wants, their taste, nor their fashions are to be consulted with a view to at once benefiting and pleasing them, the Indian Supply Bureau had better at once be transferred to the old clothes shops of Chatham street. I may go further and say, that, according to the terms of the advertisement, I should have been fully justified in throwing out every bid except Mr. Bates', for the advertisement calls for indigo-blue blankets, and not one other bidder has offered me indigo blue blankets. The dyer who testified on this point against the Bates blanket, perjured himself before your eyes, and Mr. Bates' sample is yet before you a proof of his perjury.

Passing now to articles of the second class, premising that many of the samples of cloths are utterly full of shoddy, and nearly worthless, I will submit a tabular statement, making again the Bates bid the point of comparison.

Tabular statement of proposals for articles of the second Class.—(Indian Cloths.)

Names of Bidders.	Bids.	
C. Francis Bates.....	\$37,500.	
Z. Moore.....	49,490,	or 32 per centum more than Bates.
C. Owen.....	86,675,	or 2 " less "
Drieker & Anderson.....	35,995,	or 4 " " "
Same, (bid No. 2).....	32,675,	or 13 " " "
Perry Fuller.....	32,430,	or 14 " " "
Buckley, Sheldon & Co.....	32,150,	or 14 " " "
Stettauer & Bro.....	28,827,	or 23 " " "
G. D. Evans.....	28,050,	or 25 " " "

The proposal of Mr. Bates, here be it observed, is for 16 oz. per yard, American cloth, of American fleece wool, without admixture and the blue of indigo dye. I may have erred in this as in the other awards, but it seems to me, and I submit it to the judgment of the Committee, that I might as well send no cloths as some of the miserable apologies for the article which have been offered me.

For dry goods, Messrs. Farwell & Co., like some other bidders in other classes, offered two proposals, each proposal being accompanied by distinct samples. The bid for their second grade of goods (\$69,005) was the lowest of any bid received. Their first grade of goods has been shown by the testimony of even the experts on the other side, to be, in almost all instances, what are called in the trade *standard* goods, by which term I understand first quality goods, from mills which stand in the highest repute for their specialties. The articles which they offer in their lowest bid may be sufficiently good quality, nevertheless, I will take their highest bid as a standard of comparison in the following table:

Tabular statement of proposals for articles of the third class.—(Dry Goods.)

Names of Bidders.	Bids.	
J. N. Farwell & Co.....	\$79,705.	
Same, (bid No. 2.).....	69,005.	
De Greek & Co.....	121,410,	or 52 per centum more than Farwell & Co.
Z. Moore.....	112,410,	or 41 " " "
Perry & Co.....	103,700,	or 30 " " "
J. H. B. Fariman.....	102,575,	or 28 " " "
Buckley, Sheldon & Co.....	80,175,	not 1 " " "
Rink & Anderson.....	59,825,	not 1 " " "
W. S. McKnight.....	79,785,	not 1 " " "
G. D. Evans.....	78,400,	or 2 " less "
Fitzpatrick.....	77,725,	or 2 " " "
Perry Fuller.....	77,675,	or 3 " " "
Rink & Anderson, bid No. 2....	76,950,	not 4 " " "
C. Owen.....	76,310,	not 4 " " "
M. Sells.....	71,200,	not 11 " " "
Stettauer & Bro.....	69,395,	not 13 " " "

Yet a great deal of time has been taken to prove to this Committee that Mr. Stettauer should have had the award, not certainly because his bid is lowest, for one of Mr. Farwell's is lower.

With a cunning, for which I hope due credit may be awarded him, Mr. Stettauer offered at one price, numerous samples of the same kind of goods, widely varying in quality; and, with an effrontery only equalled by his cunning, he claims to have only his *best* samples considered and compared with those of others.

The CHAIRMAN. I do not understand about Mr. Stettauer's putting in a variety of samples. Did he not make a bid for a certain specific cloth?

Mr. BOGY. No, sir. For instance, he puts in a bid for cloths, and sends in a great variety of samples.

The CHAIRMAN. Take for instance red cloths. Did Mr. Stettauer send in more than one sample?

Mr. BOGY. He had two samples of red cloths.

The CHAIRMAN. Had he two or three samples of other cloths?

Mr. BOGY. I think so. That was the information I received. I did not go into very great particulars, but I was informed that he had a great variety of samples. I saw a great variety of samples there. I remember that I raised the objection at that time that it was impossible to receive a bid of that kind, because it would open a door to fraud.

The CHAIRMAN. If there were a number of samples sent in, and a bid made without specifying any of the samples, I do not see how the bid means anything.

Mr. BOGY. I did not think it did mean anything.

Mr. HENDERSON. I think it means that the bidder offers to furnish any one of those samples at the same price, and that the Commissioner may take his choice.

Mr. BOGY. Mr. Henderson may be right in that. I might have taken any of those samples; but that would present a complexity of questions which should not have been presented. In my own estimation, the bid of Stettauer was not the best.

As to the dry goods, I will not detain the Committee a moment on that subject. My mind was made up from the beginning to take Mr. Farwell's lowest bid; yet, as I was very anxious to give the Indians the best goods, I retained the right for one week to look into the matter, and decide whether I would take Farwell's No. 1 bid or his No. 2 bid—the one being for \$69,000, and the other for \$79,000. My mind, from the beginning, was in favor of the bid for \$69,000, which is the very lowest of all the bids for the third-class goods. It is in evidence, and I so stated, that both bids were before me. I informed Mr. Farwell some time ago that I preferred the second bid; and I always did so. Mr. Bates put in two bids and two different kinds of goods, and Mr. Farwell did the same. I stated in my communication that, not knowing whether that thing could be done, I asked Mr. Mix whether it was proper for a man to put in two bids, and Mr. Mix informed me that it was, provided that there were different articles of goods furnished.

Now, with reference to these tests: A scientific man was brought here—a dyer from Philadelphia, I believe—to make tests with all kinds of acids; and I think that, according to these tests, the prose-

cution should be willing to give up the question. I think that, to say the least of it, it was carrying the examination very far, because it was not to be expected that the Commissioner should make chemical tests of these goods before deciding. I looked upon it as an absurdity at the time, and a great indulgence on the part of the Committee; but the Committee thought proper to have the tests made, and I yielded.

[Mr. Bogy here pointed out to the Committee the result of the tests, indicating how Mr. Bates' sample of the blanket retained its dark color, while the other samples had become red, and continued.]

A muriatic acid, or a sulphuric acid, that will take out the color of the logwood-dyed blanket, will not affect the indigo-dyed blanket: that is also according to the testimony given by the prosecution. What is the result of the test? All the color being taken out of Mr. Evans' blanket, there is nothing left. It being all a logwood dye, and the muriatic acid, or the sulphuric acid, being applied to it, all the color is taken out. See, on the other hand, the same test applied to Mr. Bates' blanket. The acid takes out a little tinge of color, because Mr. Dobson admits that there is a little logwood used to give it a blue cast, not only in the heading but in the blanket itself. The acid takes that out and gives color to the water. But what does it leave? It leaves an abundance of indigo-blue, thus proving that this was the only indigo-blue blanket; and, according to the terms of my advertisement, it was utterly impossible for me to take any other. That is their own testimony, not mine. It cannot be contradicted. It is true, the water will receive a color from a piece of Mr. Bates' sample, because there is enough logwood in it to color the water. One drop of logwood will color a tumbler full of water; but the residuum is indigo. That is the predominating dye in the blanket, and there is not a particle of indigo in the other blankets. It is a fraud from beginning to end, and the same thing has been practiced on this Bureau for years. That is where the shoe pinches. It is because I am attempting to stop these frauds that all these men are arrayed against me to break me down. I do not suit them; and that is the truth about it.

Now, look at the peculiarity of this prosecution. Under all these circumstances I make my award. As soon as the award is made—which I think must be sustained by the Committee—I am held up before the country as an incompetent man, or as a faithless public servant. Mr. Davis presents the issue here that I am either so incompetent as to require my retirement from this post, on account of imbecility, or that I am such an infernal rogue that I should be driven off in disgrace. That is the issue presented to the Committee. There is no other issue, no other alternative. I am either a knave, and therefore have no business there: or I am a fool, and ought to have no business there either. Now, gentlemen, have I not acted with some moderate degree of intelligence and with great precaution and care in this thing? What does all the evidence on the other side amount to? I could bring a thousand witnesses here to prove any of you, gentlemen, to be a good man; and on the other hand ten thousand witnesses

might be brought here to prove the same person a bad man. You can get witnesses to prove anything you please. But gentlemen to whom the proof is made must weigh all the testimony and decide for themselves. I think the weight of testimony is in my favor. I claim that the chemical test shows that Mr. Bates' blanket is an indigo blue blanket. I could not help thinking the other day of a play upon words—that between the combination of muriatic acid and sulphuric acid the prosecution had obtained a sort of tartaric acid, which is also a very powerful acid. In other words, they “caught a Tartar,” because it was their own experiment, and this is the result.

Now, who are those men who take such a deep interest in this thing? They are men who for some cause or other have been removed from their posts as Indian superintendents—though not by me, and who have become my prosecutors; men who were removed from office as clerks, and who have become prosecutors; and men whose bids have been refused—Evans, Stettauer, and Buckley, Sheldon & Co. They all join in this hue and cry. For what purpose? Let all the motives of these men be weighed. Is it the public good they are after—the public service—the good of the Indians, or the Government? Not a bit of it. I am a stumbling block in the way of these men, and I must be removed because I will not play into their hands. You know, gentlemen, that the very air was redolent with charges of fraud, corruption, venality, speculation, robbery and stealing in the Indian Bureau. If I remain there, I am determined to stop it if possible. Every messenger that comes here from the wilds of the West—every Indian agent, every Indian superintendent—brings evidence of frauds practiced upon the Indians. I have attempted to stop these frauds, and because I have done so the effort is made, and has been made, in the most shameless manner, to hold me up before the country as a thief and a robber. All that has been done by me in that Bureau they find fault with. Commissioners were sent to the Arapahoe and Cheyenne Indians, not by me, but by my predecessor, and yet they want to saddle me with the doing of that thing. It can be vindicated properly. Mr. Irwin, Mr. Bent, and Mr. Charles Bogy, bought goods for the Indians, and that is made a matter of complaint. Mr. Charles Bogy was sent there without any desire on his part, and against his own interest, and as a matter of accommodation to the Government. The Indians were threatening war; and he was requested to go, and did go, and helped to settle that difficulty. Again, the Wichita Indians are in a starving, suffering condition, in a most deplorable state of destitution, on the southern borders of Kansas. The superintendent of that department, being in this city, calls upon me to relieve those Indians. Congress made an appropriation last session for their benefit, but that appropriation had been all diverted when I came into the office, although the money was still in the Treasury. A contract had been made, by which a gentleman was to get \$8 for each Indian removed. I told that gentleman that, although a contract made by my predecessor was binding on me, I had no power to make the disbursement, as the money appropriated for their relief was for food and clothing.

Mr. DAVIS. What gentleman do you allude to?

Mr. BOGY. No matter who. That contract was made; but I said that I could not comply with it. I could not consent to pay \$8 per head for removing these Indians out of the money appropriated as above by Congress. The Indians will remove themselves if you feed them. The whole thing was in violation of an act of Congress; and yet my action in that matter was found fault with. Mr. Mix has proven that the law requiring written requisitions from Indian Agents and Superintendents was not enforced. I can say it does not apply here, but I am willing to conform to it when practicable. The papers are filled with charges that I sent to Boggy & Fry, of St. Louis, a large sum of money—one New York paper stating it at \$50,000; all emanating from the common sewer of defamation; whereas the proof is that there never was one dollar sent to them; that these Wichita goods were bought in St. Louis and the money sent, not to the Commission Merchants, but to the men who sold the goods. Nobody else could receipt for the money, and nobody else has receipted for it. The money was sent to the men who supplied the goods, and yet fault is found with that transaction.

I can very well see, gentlemen, why this prosecution has been instituted, and why it is so very unkind and malignant. Human nature is the same in every age. If you stand in the way of a bad man, his only mode of attacking you, is to charge you with the very thing which he knows himself to be guilty of. Some men are so highly endowed that they see beauty in everything; they see something good, something virtuous in all that surrounds them. They see God in the passing cloud, in the luxuriant forest, and in the small streamlet that trickles down the hill side. God and beauty and perfection is seen everywhere. Other men see nothing but nastiness and unkindness, and defamation, and stealing and robbery, and dirt and filth. Such is man's nature. It was very well expressed by an old Greek philosopher—Aristophanes, I think—who said that a man with a rotten nose could smell nothing sweet. That is true. There are men who can smell nothing sweet, who can see nothing beautiful, and who can never appreciate those who can act from a high and noble motive. Other men feel as if they were surrounded with beauty and virtue, and intelligence, and are able to appreciate high and noble purposes.

I do not wish to detain the Committee longer. I think I have done my duty. When I assumed the office, I determined to discharge its duties in a fearless, independent manner, and I intend to do so as long as I remain there. One thing is certain: I shall return to my home with more pleasure than I left. I did not seek office. I took it that I might reform the Indian Bureau, and I intend to do so. Certain it is, if I remain there, it will be because the Government chooses to keep me there. I intend to curry favor with no man, except through the fearless, honest, and faithful discharge of my duties.

I have one consolation when I think of those poor miserable Indians. It is not long, as tradition tells them, when their fathers stood on the top of the Alleghany mountains, and all the country from there to the Atlantic ocean was theirs; and when they turned and cast their eyes

to the setting sun, all the country between them and the Father of Waters was theirs. Civilization and christianity, which is very badly practiced in dealings with the Indians, drove these poor people away until they crossed the Father of Waters and ascended the steps of the Rocky mountains. I can remember, myself, when the whole country from the Missouri river to the Pacific ocean was one vast Indian country. As they stood upon the Rocky mountains and cast their eyes to the east, they saw a country, from there to the Mississippi, which was theirs and their hunting grounds; and from that again to the Pacific ocean was their country and their hunting grounds. There are Indians yet living who have seen these things. But now, what is their condition? We have made with them what we call treaties, by which one section of country is abandoned by them, and then another section, and then another, and all for a few paltry annuity goods. I feel for them, having been born nearly among them, and having had much to do with them as a western-born man. For a few paltry goods they have bartered away an empire. And yet this great and powerful Government sends, year after year, to these poor, miserable, defenceless Indians, such goods as have been exhibited before the Committee. Who profits by it? A few wealthy men in the city of New York. Who are destroyed by it? The people of the West, my friends and neighbors, and some of them my relatives. These wealthy New York aristocrats, who would ride in their carriages over a Western man, as if he were a dog, make their money out of these Indian contracts, and we of the West are driven into Indian troubles and Indian wars, because justice is not done to these poor people.

No matter what may be the result of this investigation to myself, I shall have the satisfaction to know that I did my duty; and I have another consolation, as a man of some charity and some humanity—I am happy to feel that, after being villified and persecuted, it may be that some poor Indians, while lying by their lonely camp fires, away in the gorges of the Rocky mountains, where the snows are deep and the winds are sharp and biting, will wrap around them these warm blankets which I will send them, and some one of them may breathe a sigh that will ascend to the throne of God, calling benedictions upon the head of the Commissioner who, in a spirit of justice and charity, sent them this warm covering to protect their miserable bodies from the rude blasts of winter.

I have explained, gentlemen, the reasons for my action in making these awards, and if I remain in the position of Indian Commissioner, I intend to reform the Bureau, if it can be done, or I shall be driven out of it by these means, dirty speculators, who are now swarming around it. Gentlemen, I thank you.

534.11

53

M E S S A G E

OF THE

PRESIDENT OF THE UNITED STATES

TO THE

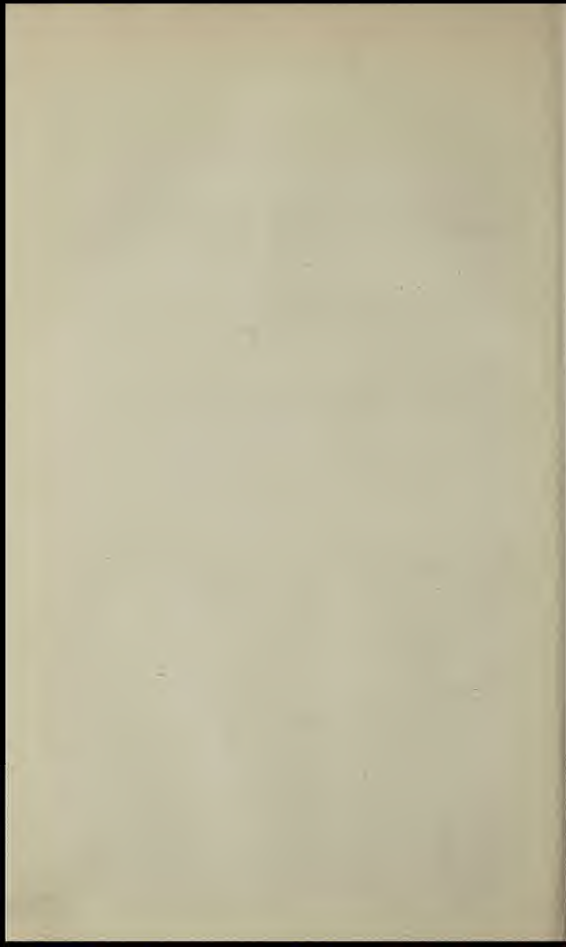
TWO HOUSES OF CONGRESS

AT

THE COMMENCEMENT OF THE THIRD SESSION OF THE
FORTY-SECOND CONGRESS.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1872.



M E S S A G E

OF THE

PRESIDENT OF THE UNITED STATES

TO THE

TWO HOUSES OF CONGRESS

AT

THE COMMENCEMENT OF THE THIRD SESSION OF THE
FORTY-SECOND CONGRESS.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1872.



M E S S A G E .

To the Senate and House of Representatives :

In transmitting to you this, my fourth annual message, it is with thankfulness to the Giver of all good that, as a nation, we have been blessed for the past year with peace at home, peace abroad, and a general prosperity vouchsafed to but few peoples.

With the exception of the recent devastating fire which swept from the earth with a breath, as it were, millions of accumulated wealth in the city of Boston, there has been no overshadowing calamity within the year to record. It is gratifying to note how, like their fellow-citizens of the city of Chicago, under similar circumstances a year earlier, the citizens of Boston are rallying under their misfortunes, and the prospect that their energy and perseverance will overcome all obstacles, and show the same prosperity soon that they would had no disaster befallen them. Otherwise we have been free from pestilence, war, and calamities, which often overtake nations; and, as far as human judgment can penetrate the future, no cause seems to exist to threaten our present peace.

When Congress adjourned in June last a question had been raised by Great Britain, and was then pending, which for a time seriously imperiled the settlement by friendly arbitration of the grave differences between this Government and that of Her Britannic Majesty, which by the treaty of Washington had been referred to the tribunal of arbitration which had met at Geneva, in Switzerland.

The arbitrators, however, disposed of the question which had jeopardized the whole of the treaty, and threatened to involve the two nations in most unhappy relations toward each other, in a manner entirely satisfactory to this Government, and in accordance with the views and the policy which it had maintained.

The tribunal, which had convened at Geneva in December, concluded its laborious session on the 14th day of September last, on which day having availed itself of the discretionary power given to it by the treaty to award a sum in gross, it made its decision, whereby it awarded the sum of fifteen millions five hundred thousand dollars in gold, as the indemnity to be paid by Great Britain to the United States for the satisfaction of all the claims referred to its consideration.

This decision happily disposes of a long-standing difference between the two governments, and, in connection with another award made by the German Emperor, under a reference to him by the same treaty,

leaves these two governments without a shadow upon the friendly relations which it is my sincere hope may forever remain equally unclouded.

The report of the agent of the United States appointed to attend the Geneva tribunal, accompanied by the protocols of the proceedings of the arbitrators, the arguments of the counsel of both governments, the award of the tribunal, and the opinions given by the several arbitrators, is transmitted herewith.

I have caused to be communicated, to the heads of the three friendly powers who complied with the joint request made to them under the treaty, the thanks, of this Government for the appointment of arbitrators made by them respectively, and also my thanks to the eminent personages named by them, and my appreciation of the dignity, patience, impartiality, and great ability with which they discharged their arduous and high functions.

Her Majesty's government has communicated to me the appreciation by Her Majesty of the ability and indefatigable industry displayed by Mr. Adams, the arbitrator named on the part of this Government, during the protracted inquiries and discussions of the tribunal. I cordially unite with Her Majesty in this appreciation.

It is due to the agent of the United States before the tribunal to record my high appreciation of the marked ability, unwearied patience, and the prudence and discretion with which he has conducted the very responsible and delicate duties committed to him, as it is also due to the learned and eminent counsel who attended the tribunal on the part of this Government, to express my sense of the talents and wisdom which they brought to bear in the attainment of the result so happily reached.

It will be the province of Congress to provide for the distribution, among those who may be entitled to it, of their respective shares of the money to be paid. Although the sum awarded is not payable until a year from the date of the award, it is deemed advisable that no time be lost in making a proper examination of the several cases in which indemnification may be due. I consequently recommend the creation of a board of commissioners for the purpose.

By the thirty-fourth article of the treaty of Washington the respective claims of the United States and of Great Britain, in their construction of the treaty of the 15th of June, 1846, defining the boundary-line between their respective territories, were submitted to the arbitration and award of His Majesty the Emperor of Germany, to decide which of those claims is most in accordance with the true interpretation of the treaty of 1846.

His Majesty the Emperor of Germany, having been pleased to undertake the arbitration, has the earnest thanks of this Government and of the people of the United States for the labor, pains, and care which he has devoted to the consideration of this long-pending difference. I have caused an expression of my thanks to be communicated to His

Majesty. Mr. Bancroft, the representative of this Government at Berlin, conducted the case, and prepared the statement on the part of the United States, with the ability that his past services justified the public in expecting at his hands. As a member of the Cabinet at the date of the treaty which has given rise to the discussion between the two Governments, as the minister to Great Britain when the construction now pronounced unfounded was first advanced, and as the agent and representative of the Government to present the case and to receive the award, he has been associated with the question in all of its phases, and in every stage has manifested a patriotic zeal and earnestness in maintenance of the claim of the United States. He is entitled to much credit for the success which has attended the submission.

After a patient investigation of the case and of the statements of each party, His Majesty the Emperor, on the 21st day of October last, signed his award in writing, decreeing that the claim of the Government of the United States, that the boundary-line between the territories of Her Britannic Majesty and the United States should be drawn through the Harro Channel, is most in accordance with the true interpretation of the treaty concluded on the 15th of June, 1846, between the Governments of Her Britannic Majesty and of the United States.

Copies of the "case" presented on behalf of each government, and of the "statement in reply" of each, and a translation of the award, are transmitted herewith.

This award confirms the United States in their claim to the important archipelago of islands lying between the continent and Vancouver's Island, which for more than twenty-six years (ever since the ratification of the treaty) Great Britain has contested, and leaves us, for the first time in the history of the United States as a nation, without a question of disputed boundary between our territory and the possessions of Great Britain on this continent.

It is my grateful duty to acknowledge the prompt, spontaneous action of Her Majesty's government in giving effect to the award. In anticipation of any request from this Government, and before the reception in the United States of the award signed by the Emperor, Her Majesty had given instructions for the removal of her troops which had been stationed there, and for the cessation of all exercise or claim of jurisdiction, so as to leave the United States in the exclusive possession of the lately disputed territory. I am gratified to be able to announce that the orders for the removal of the troops have been executed, and that the military joint occupation of San Juan has ceased. The islands are now in the exclusive possession of the United States.

It now becomes necessary to complete the survey and determination of that portion of the boundary-line (through the Harro Channel) upon which the commission which determined the remaining part of the line were unable to agree. I recommend the appointment of a commission

to act jointly with one which may be named by Her Majesty for that purpose.

Experience of the difficulties attending the determination of our admitted line of boundary, after the occupation of the territory, and its settlement by those owing allegiance to the respective governments, points to the importance of establishing, by natural objects or other monuments, the actual line between the territory acquired by purchase from Russia, and the adjoining possessions of Her Britannic Majesty. The region is now so sparsely occupied that no conflicting interests of individuals or of jurisdiction are likely to interfere to the delay or embarrassment of the actual location of the line. If deferred until population shall enter and occupy the territory, some trivial contest of neighbors may again array the two governments in antagonism. I therefore recommend the appointment of a commission, to act jointly with one that may be appointed on the part of Great Britain, to determine the line between our territory of Alaska and the conterminous possessions of Great Britain.

In my last annual message I recommended the legislation necessary on the part of the United States to bring into operation the articles of the treaty of Washington, of May 8, 1871, relating to the fisheries, and to other matters touching the relations of the United States toward the British North American possessions, to become operative so soon as the proper legislation should be had on the part of Great Britain and its possessions.

That legislation on the part of Great Britain and its possessions had not then been had, and during the session of Congress a question was raised which for the time raised a doubt whether any action by Congress in the direction indicated would become important. This question has since been disposed of, and I have received notice that the Imperial Parliament and the legislatures of the provincial governments have passed laws to carry the provisions of the treaty on the matters referred to into operation. I therefore recommend your early adoption of the legislation in the same direction necessary on the part of this Government.

The joint commission for determining the boundary-line between the United States and the British possessions, between the Lake of the Woods and the Rocky Mountains, has organized and entered upon its work. It is desirable that the force be increased in order that the completion of the survey and determination of the line may be the sooner attained. To this end I recommend that a sufficient appropriation be made.

With France, our earliest ally; Russia, the constant and steady friend of the United States; Germany, with whose government and people we have so many causes of friendship and so many common sympathies, and the other powers of Europe, our relations are maintained on the most friendly terms.

Since my last annual message the exchange has been made of the ratifications of a treaty with the Austro-Hungarian empire, relating to naturalization; also of a treaty with the German empire respecting consuls and trade-marks; also of a treaty with Sweden and Norway relating to naturalization; all of which treaties have been duly proclaimed.

Congress, at its last session, having made an appropriation to defray the expense of commissioners on the part of the United States to the International Statistical Congress at St. Petersburg, the persons appointed in that character proceeded to their destination and attended the sessions of the congress. Their report shall in due season be laid before you. This congress meets at intervals of about three years, and has held its sessions in several of the countries of Europe. I submit to your consideration the propriety of extending an invitation to the congress to hold its next meeting in the United States. The Centennial celebration to be held in 1876 would afford an appropriate occasion for such meeting.

Preparations are making for the International Exposition to be held during the next year in Vienna, on a scale of very great magnitude. The tendency of these expositions is in the direction of advanced civilization, and of the elevation of industry and of labor, and of the increase of human happiness, as well as of greater intercourse and good will between nations. As this exposition is to be the first which will have been held in Eastern Europe, it is believed that American inventors and manufacturers will be ready to avail themselves of the opportunity for the presentation of their productions if encouraged by proper aid and protection.

At the last session of Congress, authority was given for the appointment of one or more agents to represent this Government at the exposition. The authority thus given has been exercised; but, in the absence of any appropriation, there is danger that the important benefits which the occasion offers will, in a large degree, be lost to citizens of the United States. I commend the subject strongly to your consideration, and recommend that an adequate appropriation be made for the purpose.

To further aid American exhibitors at the Vienna Exposition I would recommend, in addition to an appropriation of money, that the Secretary of the Navy be authorized to fit up two naval vessels to transport between our Atlantic cities and Trieste, or the most convenient port to Vienna, and back, their articles for exhibition.

Since your last session the President of the Mexican Republic, distinguished by his high character, and by his services to his country, has died. His temporary successor has now been elected with great unanimity by the people, a proof of confidence on their part in his patriotism and wisdom, which it is believed will be confirmed by the results of his administration. It is particularly desirable that nothing should be left

undone by the government of either republic to strengthen their relations as neighbors and friends.

It is much to be regretted that many lawless acts continue to disturb the quiet of the settlements on the border between our territory and that of Mexico, and that complaints of wrongs to American citizens in various parts of the country are made. The revolutionary condition in which the neighboring republic has so long been involved, has in some degree contributed to this disturbance. It is to be hoped that with a more settled rule of order through the republic, which may be expected from the present government, the acts of which just complaint is made will cease.

The proceedings of the commission under the convention with Mexico of the 4th of July, 1868, on the subject of claims, have unfortunately been checked by an obstacle, for the removal of which measures have been taken by the two governments which it is believed will prove successful.

The commissioners appointed, pursuant to the joint resolution of Congress of the 7th of May last, to inquire into depredations on the Texan frontier, have diligently made investigations in that quarter. Their report upon the subject will be communicated to you. Their researches were necessarily incomplete, partly on account of the limited appropriation made by Congress. Mexico, on the part of that government, has appointed a similar commission to investigate these outrages. It is not announced officially, but the press of that country states that the fullest investigation is desired, and that the co-operation of all parties concerned is invited to secure that end. I therefore recommend that a special appropriation be made at the earliest day practicable, to enable the commissioners on the part of the United States to return to their labors without delay.

It is with regret that I have again to announce a continuance of the disturbed condition of the island of Cuba. No advance toward the pacification of the discontented part of the population has been made. While the insurrection has gained no advantages and exhibits no more of the elements of power or of the prospects of ultimate success than were exhibited a year ago, Spain, on the other hand, has not succeeded in its repression, and the parties stand apparently in the same relative attitude which they have occupied for a long time past.

This contest has lasted now for more than four years. Were its scene at a distance from our neighborhood, we might be indifferent to its result, although humanity could not be unmoved by many of its incidents wherever they might occur. It is, however, at our door.

I cannot doubt that the continued maintenance of slavery in Cuba is among the strongest inducements to the continuance of this strife. A terrible wrong is the natural cause of a terrible evil. The abolition of slavery, and the introduction of other reforms in the administration of government in Cuba, could not fail to advance the restoration of peace

and order. It is greatly to be hoped that the present liberal government of Spain will voluntarily adopt this view.

The law of emancipation, which was passed more than two years since, has remained unexecuted in the absence of regulations for its enforcement. It was but a feeble step toward emancipation, but it was the recognition of right, and was hailed as such, and exhibited Spain in harmony with sentiments of humanity and of justice, and in sympathy with the other powers of the Christian and civilized world.

Within the past few weeks the regulations for carrying out the law of emancipation have been announced, giving evidence of the sincerity of intention of the present government to carry into effect the law of 1870. I have not failed to urge the consideration of the wisdom, the policy, and the justice of a more effective system for the abolition of the great evil which oppresses a race, and continues a bloody and destructive contest close to our border, as well as the expediency and the justice of conceding reforms of which the propriety is not questioned.

Deeply impressed with the conviction that the continuance of slavery is one of the most active causes of the continuance of the unhappy condition in Cuba, I regret to believe that citizens of the United States, or those claiming to be such, are large holders in Cuba of what is there claimed as property, but which is forbidden and denounced by the laws of the United States. They are thus, in defiance of the spirit of our own laws, contributing to the continuance of this distressing and sickening contest. In my last annual message I referred to this subject, and I again recommend such legislation as may be proper to denounce, and, if not prevent, at least to discourage American citizens from holding or dealing in slaves.

It is gratifying to announce that the ratifications of the convention concluded under the auspices of this Government, between Spain on the one part, and the allied republics of the Pacific on the other, providing for an armistice, have been exchanged. A copy of the instrument is herewith submitted. It is hoped that this may be followed by a permanent peace between the same parties.

The differences which at one time threatened the maintenance of peace between Brazil and the Argentine Republic, it is hoped are in the way of satisfactory adjustment.

With these states, as with the republics of Central and of South America, we continue to maintain the most friendly relations.

It is with regret, however, I announce that the government of Venezuela has made no further payments on account of the awards under the convention of the 25th of April, 1866. That republic is understood to be now almost, if not quite, tranquillized. It is hoped, therefore, that it will lose no time in providing for the unpaid balance of its debt to the United States, which, having originated in injuries to our citizens by Venezuelan authorities, and having been acknowledged, pursuant to a treaty, in the most solemn form known among nations, would seem to

deserve a preference over debts of a different origin and contracted in a different manner. This subject is again recommended to the attention of Congress for such action as may be deemed proper.

Our treaty relations with Japan remain unchanged. An imposing embassy from that interesting and progressive nation visited this country during the year that is passing; but being unprovided with powers for the signing of a convention in this country, no conclusion in that direction was reached. It is hoped, however, that the interchange of opinions which took place during their stay in this country has led to a mutual appreciation of the interests which may be promoted when the revision of the existing treaty shall be undertaken.

In this connection I renew my recommendation of one year ago, that, "to give importance and to add to the efficiency of our diplomatic relations with Japan and China, and to further aid in retaining the good opinion of those peoples, and to secure to the United States its share of the commerce destined to flow between those nations and the balance of the commercial world, an appropriation be made to support at least four American youths in each of those countries, to serve as a part of the official family of our ministers there. Our representatives would not even then be placed upon an equality with the representatives of Great Britain and of some other powers. As now situated, our representatives in Japan and China have to depend, for interpreters and translators, upon natives of those countries, who know our language imperfectly, or procure for the occasion the services of employés in foreign business-houses, or the interpreters to other foreign ministers."

I renew the recommendation made on a previous occasion, of the transfer to the Department of the Interior, to which they seem more appropriately to belong, of all the powers and duties in relation to the Territories with which the Department of State is now charged by law or by custom.

Congress, from the beginning of the Government, has wisely made provision for the relief of distressed seamen in foreign countries. No similar provision, however, has hitherto been made for the relief of citizens in distress abroad, other than seamen. It is understood to be customary with other governments to authorize consuls to extend such relief to their citizens or subjects in certain cases. A similar authority, and an appropriation to carry it into effect, are recommended in the case of citizens of the United States destitute or sick under such circumstances. It is well known that such citizens resort to foreign countries in great numbers. Though most of them are able to bear the expenses incident to locomotion, there are some who, through accident or otherwise, become penniless, and have no friends at home able to succor them. Persons in this situation must either perish, cast themselves upon the charity of foreigners, or be relieved at the private charge of our own officers, who usually, even with the most benevolent dispositions, have nothing to spare for such purposes.

Should the authority and appropriation asked for be granted, care will be taken so to carry the beneficence of Congress into effect that it shall not be unnecessarily or unworthily bestowed.

TREASURY.

The moneys received and covered into the Treasury during the fiscal year ended June 30, 1872, were :

From customs.....	\$216,370,286 77
From sales of public lands	2,575,714 19
From internal revenue.....	130,642,177 72
From tax on national bank circulation, &c	6,523,396 39
From Pacific Railway companies.....	749,861 87
From customs fines, &c	1,136,442 34
From fees, consular, patent, land, &c.....	2,284,095 92
From miscellaneous sources.....	4,412,254 71
Total ordinary receipts	364,694,229 91
From premium on sales of coin.....	9,412,637 65
Total net receipts	374,106,867 56
Balance in Treasury June 30, 1871, (including \$18,228.35 received from "unavailable")	109,935,705 59
Total available cash.....	484,042,573 15

The net expenditures by warrants during the same period were :

For civil expenses.....	\$16,187,059 20
For foreign intercourse.....	1,839,369 14
For Indians.....	7,061,728 82
For pensions.....	28,533,402 76
For military establishment, including fortifications, river and harbor improvements, and arsenals.....	35,372,157 20
For naval establishment, including vessels and machinery and improvements at navy-yards.....	21,249,809 99
For miscellaneous civil, including public buildings, light-houses, and collecting the revenue.....	42,958,329 08
For interest on the public debt.....	117,357,839 72
Total, exclusive of principal and premium on the public debt...	270,559,695 91
For premium on bonds purchased	\$6,958,266 76
For redemption of the public debt.....	99,960,253 54
	106,918,520 30
Total net disbursements.....	377,478,216 21
Balance in Treasury June 30, 1872.....	106,564,356 94
Total	484,042,573 15

From the foregoing statement it appears that the net reduction of the principal of the debt during the fiscal year ending June 30, 1872, was \$99,960,253.54.

The source of this reduction is as follows :

Net ordinary receipts during the year.....	\$364,694,229 91
Net ordinary expenditures, including interest on the public debt.....	270,559,695 91
Leaving surplus revenue.....	94,134,534 00
Add amount received from premium on sales of gold, in excess of the premium paid on bonds purchased.....	2,454,370 89
Add the amount of the reduction of the cash balance at the close of the year, accompanied with same at commencement of the year....	3,371,348 65
Total.....	99,960,253 54

This statement treats solely of the principal of the public debt.

By the monthly statement of the public debt, which adds together the principal, interest due and unpaid, and interest accrued to date, not due, and deducts the cash in the Treasury as ascertained on the day of publication, the reduction was \$100,544,491.28.

The source of this reduction is as follows :

Reduction in principal account.....	\$99,960,003 54
Reduction in unpaid interest account.....	3,330,952 96
	103,290,956 50
Reduction in cash on hand.....	2,746,465 22
	100,544,491 28

On the basis of the last table the statements show a reduction of the public debt, from the 1st of March, 1869, to the present time, as follows :

From March 1, 1869, to March 1, 1870.....	\$87,134,782 84
From March 1, 1870, to March 1, 1871.....	117,619,630 25
From March 1, 1871, to March 1, 1872.....	94,895,348 94
From March 1, 1872, to November 1, 1872, (eight months).....	64,047,237 84
Total.....	363,696 999 87

With the great reduction of taxation by the acts of Congress at its last session, the expenditure of the Government in collecting the revenue will be much reduced for the next fiscal year. It is very doubtful, however, whether any further reduction of so vexations a burden upon any people will be practicable for the present. At all events, as a measure of justice to the holders of the nation's certificates of indebtedness, I would recommend that no more legislation be had on this subject, unless it be to correct errors of omission or commission in the present laws, until sufficient time has elapsed to prove that it can be done and still leave sufficient revenue to meet current expenses of Government, pay interest on the public debt, and provide for the sinking-fund established by law. The preservation of our national credit is of the highest importance; next in importance to this comes a solemn duty to provide

a national currency, of fixed, unvarying value, as compared with gold, and as soon as practicable, having due regard for the interests of the debtor class, and the vicissitudes of trade and commerce, convertible into gold at par.

WAR DEPARTMENT.

The report of the Secretary of War shows the expenditures of the War Department for the fiscal year ending June 30, 1871, to be \$35,799,991.82, and for the fiscal year ending June 30, 1872, to be \$35,372,157.20, showing a reduction in favor of the last fiscal year of \$427,834.62.

The estimates for military appropriations for the next fiscal year, ending June 30, 1874, are \$33,801,378.78.

The estimates of the Chief of Engineers are submitted separately for fortifications, river and harbor improvements, and for public buildings and grounds, and the Washington aqueduct.

The affairs of the Freedmen's Bureau have all been transferred to the War Department, and regulations have been put into execution for the speedy payment of bounty, pay, &c., due colored soldiers, properly coming under that bureau. All war accounts, for money and property, prior to 1871, have been examined and transmitted to the Treasury for final settlement.

During the fiscal year there has been paid for transportation on railroads \$1,300,000, of which \$800,857 was over the Pacific railroads; for transportation by water \$626,373.52, and by stage \$48,975.84; for the purchase of transportation animals, wagons, hire of teamsters, &c., \$924,650.64.

About \$370,000 have been collected from Southern railroads during the year, leaving about \$4,000,000 still due.

The Quartermaster has examined and transmitted to the accounting officers for settlement, \$367,172.72 of claims by loyal citizens for quartermasters' stores taken during the war.

Subsistence supplies to the amount of \$89,048.12 have been issued to Indians.

The annual average mean strength of the Army was 24,101 white, and 2,494 colored soldiers. The total deaths for the year reported, were 367 white and 54 colored.

The distribution of the Medical and Surgical History of the War is yet to be ordered by Congress.

There exists an absolute necessity for a medical corps of the full number established by act of Congress of July 28, 1866; there being now fifty-nine vacancies, and the number of successful candidates rarely exceeds eight or ten in any one year.

The river and harbor improvements have been carried on with energy and economy. Though many are only partially completed, the results have saved to commerce many times the amount expended. The increase

of commerce, with greater depth of channels, greater security in navigation, and the saving of time, adds millions to the wealth of the country and increases the resources of the Government.

The bridge across the Mississippi River at Rock Island has been completed, and the proper site has been determined upon for the bridge at La Crosse.

The able and exhaustive report made by the commission appointed to investigate the Sutro Tunnel has been transmitted to Congress.

The observations and reports of the Signal Office have been continued. Stations have been maintained at each of the principal lake, seaport, and river cities. Ten additional stations have been established in the United States, and arrangements have been made for an exchange of reports with Canada, and a similar exchange of observations is contemplated with the West India Islands.

The favorable attention of Congress is invited to the following recommendations of the Secretary of War :

A discontinuance of the appointment of extra lieutenants to serve as adjutants and quartermasters ; the adoption of a code providing specific penalties for well-defined offenses, so that the inequality of sentences adjudged by courts-martial may be adjusted ; the consolidation of accounts under which expenditures are made, as a measure of economy ; a re-appropriation of the money for the construction of a depot at San Antonio, the title to the site being now perfected ; a special act placing the cemetery at the city of Mexico on the same basis as other national cemeteries ; authority to purchase sites for military posts in Texas ; the appointment of commissary sergeants from non-commissioned officers, as a measure for securing the better care and protection of supplies ; an appropriation for the publication of the catalogue and tables of the anatomical section of the Army Medical Museum ; a re-appropriation of the amount for the manufacture of breech-loading arms, should the selection be so delayed by the board of officers as to leave the former appropriation unexpended at the close of the fiscal year ; the sale of such arsenals east of the Mississippi as can be spared, and the proceeds applied to the establishment of one large arsenal of construction and repair upon the Atlantic coast, and the purchase of a suitable site for a proving and experimental ground for heavy ordnance ; the abrogation of laws which deprive inventors in the United States service from deriving any benefit from their inventions ; the repeal of the law prohibiting promotions in the staff-corps ; a continuance of the work upon coast defenses ; the repeal of the seventh section of the act of July 13, 1866, taking from engineer soldiers the per diem granted to other troops ; a limitation of time for presentation of old war claims for subsistence supplies under act of July 4, 1864 ; and a modification in the mode of the selection of cadets for the Military Academy, in order to enhance the usefulness of the Academy, which is impaired by reason of the large amount of time necessarily expended in giving new cadets a thorough

knowledge of the more elementary branches of learning, which they should acquire before entering the Academy. Also an appropriation for philosophical apparatus and an increase in the numbers and pay of the Military Academy band.

The attention of Congress will be called during its present session to various enterprises for the more certain and cheaper transportation of the constantly increasing surplus of Western and Southern products to the Atlantic sea-board. The subject is one that will force itself upon the legislative branch of the Government sooner or later, and I suggest, therefore, that immediate steps be taken to gain all available information to insure equable and just legislation.

One route to connect the Mississippi Valley with the Atlantic, at Charleston, South Carolina, and Savannah, Georgia, by water, by the way of the Ohio and Tennessee Rivers, and canals and slack-water navigation to the Savannah and Ocmulgee Rivers, has been surveyed, and report made by an accomplished engineer officer of the Army. Second and third, new routes will be proposed for the consideration of Congress, namely, by an extension of the Kanawha and James River Canal to the Ohio, and by extension of the Chesapeake and Ohio Canal.

I am not prepared to recommend Government aid to these or other enterprises until it is clearly shown that they are not only of national interest, but that when completed they will be of a value commensurate with their cost.

That production increases more rapidly than the means of transportation in our country has been demonstrated by past experience. That the unprecedented growth in population and products of the whole country will require additional facilities, and cheaper ones for the more bulky articles of commerce to reach tide-water and a market will be demanded in the near future, is equally demonstrable. I would therefore suggest either a committee or a commission to be authorized to consider this whole question, and to report to Congress at some future day for its better guidance in legislating on this important subject.

The railroads of the country have been rapidly extended during the last few years to meet the growing demands of producers, and reflect much credit upon the capitalists and managers engaged in their construction.

In addition to these, a project to facilitate commerce by the building of a ship-canal around Niagara Falls, on the United States side, which has been agitated for many years, will, no doubt, be called to your attention at this session.

Looking to the great future growth of the country, and the increasing demands of commerce, it might be well, while on this subject, not only to have examined and reported upon the various practicable routes for connecting the Mississippi with tide-water on the Atlantic, but the feasibility of an almost continuous land-locked navigation from Maine

to the Gulf of Mexico. Such a route along our coast would be of great value at all times, and of inestimable value in case of a foreign war. Nature has provided the greater part of this route, and the obstacles to overcome are easily within the skill of the engineer.

I have not alluded to this subject with the view of having any further expenditure of public money at this time than may be necessary to procure and place all the necessary information before Congress in an authentic form, to enable it hereafter, if deemed practicable and worthy, to legislate on the subject without delay.

NAVY DEPARTMENT.

The report of the Secretary of the Navy herewith accompanying, explains fully the condition of that branch of the public service, its wants and deficiencies, expenses incurred during the past year, and appropriations for the same. It also gives a complete history of the services of the Navy for the past year, in addition to its regular service.

It is evident that, unless early steps are taken to preserve our Navy, that in a very few years the United States will be the weakest nation upon the ocean, of all great powers. With an energetic, progressive business people like ours, penetrating and forming business relations with every part of the known world, a Navy strong enough to command the respect of our flag abroad is necessary for the full protection of their rights.

I recommend careful consideration by Congress of the recommendations made by the Secretary of the Navy.

POST-OFFICE DEPARTMENT.

The accompanying report of the Postmaster General furnishes a full and satisfactory exhibit of the operations of the Post-Office Department during the year. The ordinary revenues of the Department for the fiscal year ending June 30, 1872, amounted to \$21,915,426.37, and the expenditures to \$26,658,192.31. Compared with the previous fiscal year the increase of revenue was \$1,878,330.95, or 9.37 per cent., and the increase of expenditures \$2,268,088.23, or 9.29 per cent. Adding to the ordinary revenues the annual appropriation of \$700,000 for free matter, and the amounts paid to the subsidized mail-steamship lines from special appropriations, the deficiency paid out of the general Treasury was \$3,317,765.94, an excess of \$389,707.28 over the deficiency for the year 1871.

Other interesting statistical information relating to our rapidly extending postal service is furnished in this report. The total length of railroad mail-routes on the 30th of June, 1872, was 57,911 miles, 8,077 additional miles of such service having been put into operation during the year. Eight new lines of railway post-offices have been established, with an aggregate length of 2,909 miles. The number of letters exchanged in the mails with foreign countries was 24,362,500, an increase

of 4,066,502, or 20 per cent. over the number in 1871; and the postage thereon amounted to \$1,871,257.25. The total weight of the mails exchanged with European countries exceeded 820 tons. The cost of the United States transatlantic mail-steamship service was \$220,301.70. The total cost of the United States ocean-steamship service, including the amounts paid to the subsidized lines of mail steamers, was \$1,027,020.97.

The following are the only steamship lines now receiving subsidies for mail service under special acts of Congress: The Pacific Mail Steamship Company receive \$500,000 per annum for conveying a monthly mail between San Francisco, Japan, and China, which will be increased to \$1,000,000 per annum for a semi-monthly mail on and after October 1, 1873; the United States and Brazil Mail Steamship Company receive \$150,000 per annum for conveying a monthly mail between New York and Rio de Janeiro, Brazil; and the California, Oregon, and Mexico Steamship Company receive \$75,000 per annum for conveying a monthly mail between San Francisco and Honolulu, (Hawaiian Islands,) making the total amount of mail-steamship subsidies, at present, \$725,000 per annum.

Our postal communications with all parts of the civilized world have been placed upon a most advantageous footing by the improved postal conventions and arrangements recently concluded with the leading commercial countries of Europe and America, and the gratifying statement is made that with the conclusion of a satisfactory convention with France, the details of which have been definitely agreed to by the head of the French postal department, subject to the approval of the minister of finance, little remains to be accomplished by treaty for some time to come, with respect either to reduction of rates or improved facilities of postal intercourse.

Your favorable consideration is respectfully invited to the recommendations made by the Postmaster-General for an increase of service from monthly to semi-monthly trips on the mail-steamship route to Brazil; for a subsidy in aid of the establishment of an American line of mail steamers between San Francisco, New Zealand, and Australia; for the establishment of post-office savings banks; and for the increase of the salaries of the heads of bureaus. I have heretofore recommended the abolition of the franking privilege, and see no reason now for changing my views on that subject. It not having been favorably regarded by Congress, however, I now suggest a modification of that privilege to correct its glaring and costly abuses. I would recommend also the appointment of a committee or commission to take into consideration the best method (equitable to private corporations who have invested their time and capital in the establishment of telegraph-lines) of acquiring the title to all telegraph-lines now in operation, and of connecting this service with the postal service of the nation. It is not probable that this subject could receive the proper consideration during the limits of

a short session of Congress, but it may be initiated, so that future action may be fair to the Government and to private parties concerned.

There are but three lines of ocean steamers, namely, the Pacific Mail Steamship Company, between San Francisco, China, and Japan, with provision made for semi-monthly service after October 1, 1873; the United States and Brazil line, monthly; and the California, New Zealand, and Australian line, monthly, plying between the United States and foreign ports, and owned and operated under our flag. I earnestly recommend that such liberal contracts for carrying the mails be authorized with these lines as will insure their continuance.

If the expediency of extending the aid of Government to lines of steamers which hitherto have not received it, should be deemed worthy of the consideration of Congress, political and commercial objects make it advisable to bestow such aid on a line under our flag between Panama and the Western South American ports. By this means much trade, now diverted to other countries, might be brought to us, to the mutual advantage of this country and those lying in that quarter of the continent of America.

The report of the Secretary of the Treasury will show an alarming falling off in our carrying-trade for the last ten or twelve years, and even for the past year. I do not believe that public treasure can be better expended in the interest of the whole people than in trying to recover this trade. An expenditure of \$5,000,000 per annum for the next five years, if it would restore to us our proportion of the carrying-trade of the world, would be profitably expended.

The price of labor in Europe has so much enhanced within the last few years that the cost of building and operating ocean-steamers in the United States is not so much greater than in Europe, and I believe the time has arrived for Congress to take this subject into serious consideration.

DEPARTMENT OF JUSTICE.

Detailed statements of the disbursements through the Department of Justice will be furnished by the report of the Attorney-General, and though these have been somewhat increased by the recent acts of Congress "to enforce the rights of citizens of the United States to vote in the several States of the Union," and "to enforce the provisions of the fourteenth amendment to the Constitution of the United States," and the amendments thereto, I cannot question the necessity and salutary effect of those enactments. Reckless and lawless men, I regret to say, have associated themselves together, in some localities, to deprive other citizens of those rights guaranteed to them by the Constitution of the United States, and to that end have committed deeds of blood and violence; but the prosecution and punishment of many of these persons have tended greatly to the repression of such disorders. I do not doubt that a great majority of the people in all parts of the country favor the full enjoyment by all classes of persons of those rights to which they

are entitled under the Constitution and laws; and I invoke the aid and influence of all good citizens to prevent organizations whose objects are by unlawful means to interfere with those rights. I look with confidence to the time, not far distant, when the obvious advantages of good order and peace will induce an abandonment of all combinations prohibited by the acts referred to, and when it will be unnecessary to carry on prosecutions or inflict punishment to protect citizens from the lawless doings of such combinations.

Applications have been made to me to pardon persons convicted of a violation of said acts, upon the ground that clemency in such cases would tend to tranquillize the public mind, and to test the virtue of that policy I am disposed, as far as my sense of justice will permit, to give to these applications a favorable consideration; but any action thereon is not to be construed as indicating any change in my determination to enforce with rigor such acts so long as the conspiracies and combinations therein named disturb the peace of the country.

It is much to be regretted, and is regretted by no one more than myself, that a necessity has ever existed to execute the "enforcement act." No one can desire more than I that the necessity of applying it may never again be demanded.

INTERIOR DEPARTMENT.

The Secretary of the Interior reports satisfactory improvement and progress in each of the several bureaus under the control of the Interior Department. They are all in excellent condition. The work which in some of them, for some years, has been in arrears, has been brought down to a recent date, and in all the current business is being promptly dispatched.

INDIANS.

The policy which was adopted at the beginning of this administration with regard to the management of the Indians has been as successful as its most ardent friends anticipated within so short a time. It has reduced the expense of their management; decreased their forays upon the white settlements; tended to give the largest opportunity for the extension of the great railways through the public domain and the pushing of settlements into more remote districts of the country; and at the same time improved the condition of the Indians. The policy will be maintained without any change excepting such as further experience may show to be necessary to render it more efficient.

The subject of converting the so-called Indian Territory south of Kansas into a home for the Indian, and erecting therein a territorial form of government, is one of great importance as a complement of the existing Indian policy. The question of removal to that territory has, within the past year, been presented to many of the tribes resident upon other and less desirable portions of the public domain, and has generally been

received by them with favor. As a preliminary step to the organization of such a territory it will be necessary to confine the Indians, now resident therein, to farms of proper size, which should be secured to them in fee; the residue to be used for the settlement of other friendly Indians. Efforts will be made in the immediate future to induce the removal of as many peaceably-disposed Indians to the Indian Territory as can be settled properly, without disturbing the harmony of those already there. There is no other location now available, where a people who are endeavoring to acquire a knowledge of pastoral and agricultural pursuits can be as well accommodated as upon the unoccupied lands in the Indian Territory. A territorial government should, however, protect the Indians from the inroads of whites for a term of years, until they become sufficiently advanced in the arts and civilization to guard their own rights, and from the disposal of the lands held by them for the same period.

LANDS.

During the last fiscal year there were disposed of, out of the public lands, 11,864,975 acres, a quantity greater by 1,099,270 acres than was disposed of the previous year. Of this amount, 1,370,320 acres were sold for cash; 389,460 acres located with military warrants; 4,671,332 acres taken for homesteads; 693,613 acres located with college scrip; 3,554,887 acres granted to railroads; 465,347 acres granted to wagon-roads; 714,255 acres given to States as swamp-land; 5,760 acres located by Indian scrip. The cash receipts from all sources in the Land-Office amounted to \$3,218,100. During the same period 22,016,608 acres of the public lands were surveyed, which, added to the quantity before surveyed, amounts to 583,364,780 acres, leaving 1,257,633,628 acres of the public lands still unsurveyed.

The reports from the subordinates of the Land-Office contain interesting information in regard to their respective districts. They uniformly mention the fruitfulness of the soil during the past season, and the increased yields of all kinds of produce. Even in those States and Territories where mining is the principal business, agricultural products have exceeded the local demand, and liberal shipments have been made to distant points.

PATENTS.

During the year ending September 30, 1872, there were issued from the Patent-Office 13,626 patents; 233 extensions; and 556 certificates and registries of trade-marks. During the same time 19,587 applications for patents, including re-issues and designs, have been received, and 3,100 caveats filed. The fees received during the same period amounted to \$700,954.86, and the total expenditures to \$623,553.90, making the net receipts over the expenditures \$77,400.96.

Since 1836, 200,000 applications for patents have been filed, and about 133,000 patents issued. The office is being conducted under the same

laws and general organization as were adopted at its original inauguration, when only from one hundred to five hundred applications were made per annum. The Commissioner shows that the office has outgrown the original plan, and that a new organization has become necessary. This subject was presented to Congress in a special communication in February last, with my approval and the approval of the Secretary of the Interior, and the suggestions contained in said communication were embraced in the bill that was reported to the House, by the Committee on Patents, at the last session. The subject of the re-organization of the Patent-Office, as contemplated by the bill referred to, is one of such importance to the industrial interests of the country that I commend it to the attention of Congress.

The Commissioner also treats the subject of the separation of the Patent Office from the Department of the Interior. This subject is also embraced in the bill heretofore referred to. The Commissioner complains of the want of room for the model-gallery, and for the working force and necessary files of the office. It is impossible to transact the business of the office properly without more room in which to arrange files and drawings, that must be consulted hourly in the transaction of business. The whole of the Patent-Office building will soon be needed, if it is not already, for the accommodation of the business of the Patent-Office.

PENSIONS.

The amount paid for pensions in the last fiscal year was \$30,169,340, an amount larger by \$3,708,434 than was paid during the preceding year. Of this amount \$2,313,409 were paid under the act of Congress of February 17, 1871, to survivors of the war of 1812. The annual increase of pensions by the legislation of Congress has more than kept pace with the natural yearly losses from the rolls. The act of Congress of June 8, 1872, has added an estimated amount of \$750,000 per annum to the rolls, without increasing the number of pensioners. We cannot, therefore, look for any substantial decrease in the expenditures of this Department for some time to come, or so long as Congress continues to so change the rates of pension.

The whole number of soldiers enlisted in the war of the rebellion was 2,688,523. The total number of claims for invalid pensions is 176,000, being but six per cent. of the whole number of enlisted men. The total number of claims on hand at the beginning of the year was 91,689; the number received during the year was 26,574; the number disposed of was 39,178, making a net gain of 12,604. The number of claims now on file is 79,085.

On the 30th of June, 1872, there were on the rolls the names of 95,405 invalid military pensioners, 113,518 widows, orphans, and dependent relatives, making an aggregate of 298,923 Army pensioners. At the same time there were on the rolls the names of 1,449 Navy pensioners,

and 1,730 widows, orphans, and dependent relatives, making the whole number of naval pensioners 3,179. There have been received, since the passage of the act to provide pensions for the survivors of the war of 1812, 36,551 applications, prior to June 30, 1872. Of these there were allowed, during the last fiscal year, 20,126 claims; 4,845 were rejected during the year, leaving 11,580 claims pending at that date. The number of pensions of all classes granted during the last fiscal year was 33,838. During that period there were dropped from the rolls, for various causes, 9,104 names, leaving a grand total of 232,229 pensioners on the rolls on the 30th of June, 1872.

It is thought that the claims for pensions on account of the war of 1812 will all be disposed of by the 1st of May, 1873. It is estimated that \$30,480,000 will be required for the pension service during the next fiscal year.

THE CENSUS.

The ninth census is about completed. Its early completion is a subject of congratulation, inasmuch as the use to be made of the statistics therein contained depends very greatly on the promptitude of publication.

The Secretary of the Interior recommends that a census be taken in 1875, which recommendation should receive the early attention of Congress. The interval at present established between the federal census is so long, that the information obtained at the decennial periods as to the material condition, wants and resources of the nation, is of little practical value after the expiration of the first half of that period. It would probably obviate the constitutional provision regarding the decennial census, if a census taken in 1875 should be divested of all political character, and no re-apportionment of congressional representation be made under it. Such a census, coming as it would in the last year of the first century of our national existence, would furnish a noble monument of the progress of the United States during that century.

EDUCATION.

The rapidly increasing interest in education is a most encouraging feature in the current history of the country, and it is, no doubt, true that this is due in a great measure to the efforts of the Bureau of Education. That office is continually receiving evidences, which abundantly prove its efficiency, from the various institutions of learning, and educators of all kinds throughout the country.

The report of the Commissioner contains a vast amount of educational details of great interest. The bill now pending before Congress, providing for the appropriation of the net proceeds of the sales of public lands for educational purposes, to aid the States in the general education of their rising generation, is a measure of such great importance to our real progress, and is so unanimously approved by the leading friends of education, that I commend it to the favorable attention of Congress.

TERRITORIES.

Affairs in the Territories are generally satisfactory. The energy and business capacity of the pioneers who are settling up the vast domains not yet incorporated into States are keeping pace, in internal improvements and civil government, with the older communities. In but one of them, Utah, is the condition of affairs unsatisfactory, except so far as the quiet of the citizen may be disturbed by real or imaginary danger of Indian hostilities. It has seemed to be the policy of the legislature of Utah to evade all responsibility to the Government of the United States, and even to hold a position in hostility to it.

I recommend a careful revision of the present laws of the Territory by Congress, and the enactment of such a law (the one proposed in Congress at its last session, for instance, or something similar to it) as will secure peace, the equality of all citizens before the law, and the ultimate extinguishment of polygamy.

Since the establishment of a territorial government for the District of Columbia, the improvement of the condition of the city of Washington and surroundings, and the increased prosperity of the citizens, is observable to the most casual visitor. The nation, being a large owner of property in the city, should bear, with the citizens of the District, its just share of the expense of these improvements.

I recommend, therefore, an appropriation to reimburse the citizens for the work done by them along and in front of public grounds during the past year; and liberal appropriations in order that the improvement and embellishment of the public buildings and grounds may keep pace with the improvements made by the Territorial authorities.

AGRICULTURE.

The report of the Commissioner of Agriculture gives a very full and interesting account of the several divisions of that Department—the horticultural, agricultural, statistical, entomological, and chemical, and the benefits conferred by each upon the agricultural interests of the country. The whole report is a complete history, in detail, of the workings of that Department in all its branches, showing the manner in which the farmer, merchant, and miner is informed, and the extent to which he is aided in his pursuits.

The Commissioner makes one recommendation—that measures be taken by Congress to protect and induce the planting of forests, and suggests that no part of the public lands should be disposed of without the condition that one-tenth of it should be reserved in timber where it exists, and, where it does not exist, inducements should be offered for planting it.

CENTENNIAL CELEBRATION.

In accordance with the terms of the act of Congress, approved March 3, 1871, providing for the celebration of the one hundredth anniversary

of American independence, a commission has been organized, consisting of two members from each of the States and Territories. This commission has held two sessions, and has made satisfactory progress in the organization and in the initiatory steps necessary for carrying out the provisions of the act, and for executing also the provisions of the act of June 1, 1872, creating a centennial board of finance. A preliminary report of progress has been received from the president of the commission, and is herewith transmitted. It will be the duty of the commission at your coming session to transmit a full report of the progress made, and to lay before you the details relating to the exhibition of American and foreign arts, products, and manufactures, which, by the terms of the act, is to be held under the auspices of the Government of the United States, in the city of Philadelphia, in the year 1876.

This celebration will be looked forward to by American citizens with great interest, as marking a century of greater progress and prosperity than is recorded in the history of any other nation, and as serving a further good purpose in bringing together, on our soil, peoples of all the commercial nations of the earth, in a manner calculated to insure international good feeling.

CIVIL SERVICE.

An earnest desire has been felt to correct abuses which have grown up in the civil service of the country, through the defective method of making appointments to office. Heretofore federal offices have been regarded too much as the reward of political services. Under authority of Congress, rules have been established to regulate the tenure of office and the mode of appointments. It cannot be expected that any system of rules can be entirely effective, and prove a perfect remedy for the existing evils, until they have been thoroughly tested by actual practice, and amended according to the requirements of the service. During my term of office it shall be my earnest endeavor to so apply the rules as to secure the greatest possible reform in the civil service of the Government; but it will require the direct action of Congress to render the enforcement of the system binding upon my successors, and I hope that the experience of the past year, together with appropriate legislation by Congress, may reach a satisfactory solution of this question, and secure to the public service, for all time, a practical method of obtaining faithful and efficient officers and employés.

U. S. GRANT.

EXECUTIVE MANSION, *December 2, 1872.*

421.1 3
5
15

MINUTES

OF

ASSOCIATED EXECUTIVE COMMITTEE

OF

FRIENDS

ON

INDIAN AFFAIRS.

PHILADELPHIA, PENN., FOURTH MONTH, 1874.

RICHMOND, IND.

PRINTED BY THE TELEGRAM PRINTING COMPANY.

1874.



MINUTES.

1. At a meeting of the Associated Executive Committee on Indian Affairs, held at Friends' Meeting House, Twelfth Street, Philadelphia, on Fourth Day, the 15th of Fourth Month, 1874, at 9 A. M.,
2. There were present:
 - From New England Yearly Meeting*—Edward W. Howland and Edward Earle.
 - From New York Yearly Meeting*—Wm. B. Collins and Benjamin Tatham.
 - From North Carolina Yearly Meeting*—Isham Cox and Josiah Nicholson.
 - From Baltimore Yearly Meeting*—Francis T. King.
 - From Ohio Yearly Meeting*—John Butler and George K. Jenkins.
 - From Indiana Yearly Meeting*—Charles F. Coffin and Murray Shipley.
 - From Western Yearly Meeting*—Amos Doan.
 - From Kansas Yearly Meeting*—William G. Coffin.Also Robert W. Hodson, from Western, as substitute for B. C. Hobbs, and John K. Garrett, from Philadelphia, as substitute for James E. Rhoads, with minutes from their respective Committees.
Also our friend William Nicholson, General Agent.
3. Josiah Nicholson was appointed Assistant Clerk for the present meeting.
4. The Minutes of the meeting of the Committee held at Lawrence, Kansas, in Tenth month last, were read and approved, with the following explanation of minute 31:

“The difficulty in settling the account of Agent Richards, therein referred to, was one arising from a misunderstanding by him of the channel through which certain moneys appropriated by Congress for the benefit of his Agency should be disbursed; and it in no wise affected his character as an honest, faithful and efficient officer.”
5. Our Treasurer presented his report, which was referred to Edward Earle, William B. Collins and Edward W. Howland, who were directed to audit his accounts and other bills which may be presented, and report to a future sitting; who are also directed to prepare an amount to be raised the ensuing year by the Yearly Meetings.

6. A communication from the Secretary of the Interior has been received and read, informing us that the Senate has rejected the nomination of Mahlon Stubbs as Agent for the Kaw Indians, and asking this Committee to submit the name of some other person to be appointed in his place. The subject has claimed the consideration of this Committee; we are informed that no charges of official mismanagement, corruption, or want of efficiency were made against Mahlon Stubbs, and that his record as Agent in the Interior Department is good, but that the opposition to his appointment by members of Congress from Kansas prevented his nomination. From information received by the Committee, we believe that the objections to him were from his earnest efforts to promote the interests of the Indians, and that thereby he has incurred the ill will of some interested parties in Kansas. The subject is referred to the Washington Committee for its care.
7. An interesting letter from our friend James E. Rhoads, who, in company with Thomas Wistar and Marmaduke C. Cope, has been traveling amongst the Indians, dated Wichita Agency, 4th mo. 2d, 1874, has been received. The important subjects brought to view are referred for further consideration.
8. A written communication from our friend Barnabas C. Hobbs, a member of this Committee, was received and read, and the subjects brought to view are referred to Edward Earle, Amos Doan, W. G. Coffin and George K. Jenkins, who are appointed a "Business Committee" to consider, digest and propose to a future sitting, such points as may be referred to them, or may appear proper to receive our consideration.
9. The Committee then adjourned to meet at the rise of the meeting for worship in this house.
10. 12 M. The Committee met after attending the usual week-day meeting of Friends, to this hour.
11. A communication from Lawrie Tatum, addressed to this Committee, has been read, and is referred to the "Business Committee."
12. The subject of preparing a Memorial or Statement to Congress setting forth the results of our labors, the present position of the business, and the difficulties which surround our Agents, and what is necessary to our further success, having been introduced and considered, is referred for further consideration to the following Friends, who are desired to prepare one, if way opens for it, and produce it to a future

sitting : Benjamin Tatham, George K. Jenkins, Murray Shipley and Francis T. King, in connection with our General Agent.

13. Our General Agent presented the following report, which was read in part, and the Committee adjourned until 4 P. M.

PHILADELPHIA, PA., FOURTH MONTH, 15th, 1874.

TO THE ASSOCIATED EXECUTIVE COMMITTEE

OF FRIENDS ON INDIAN AFFAIRS :

Since the last meeting of the Committee, I have spent most of the time in Washington, and desire to call your attention to some of the subjects of official action at that point in connection with others at the various Agencies.

The President's Board of Indian Commissioners called the usual Conference of Representatives of those denominations engaged in the work of Indian Civilization. It was not however so largely attended as heretofore and seemed to lack the spirit and earnestness which should characterize such a body. The subjects which engaged its attention, in addition to reports of the progress of the work, were of great importance and deserved the deepest thought and fullest expression of those assembled. Some of these subjects were : The responsibility of the denominations in assuming the duty of nominating Agents—and how they can secure the best men, and how can they most effectually supervise the conduct of their Agents. The character of employees—how to secure the best. Women as employees, and their relative influence in promoting the work. Missionary Work—What is its character and how can its methods be improved? Schools—What is their condition?—difficulties—causes of failure—methods which promote success. The true purpose of Schools not limited to mere literary teaching, &c., &c. Benjamin Tatham and Dr. J. E. Rhoads were the only members of the Committee in attendance.

As the term of office of Agents Mahlon H. Stubbs and Isaac T. Gibson had expired, I recommended their re-appointment after conference with such members of the Washington Committee as were accessible. As the administration of both these Agents had been entirely satisfactory to the Commissioner of Indian Affairs and to the Secretary of the Interior, they promptly recommended them, and they were at once re-appointed by the President. The Senate, however, took no action in the case of either, except to refer the cases to its Committee on Indian affairs, until near the middle of last month, when the appointment of Agent Stubbs was rejected. In various interviews with the Chairman and other members of the Committee on Indian Affairs, I was repeatedly informed that there were no charges against him of official misconduct, and that the only obstacle to a favorable report by the Committee, was the opposition of the Senators from his own State (Kansas), one of whom was a member of the Committee. This opposition was based upon protests against his confirmation, signed and forwarded by citizens of Kansas, residing in the vicinity of the former Agency, who were personally hostile to Agent Stubbs, and whose hostility was partly due to the fact that he did not consult so much their interests as those of the Indians under his care. It seems to be a usage, if not a rule of the Senate, to reject appointments that are opposed by the Congressional delegation of the State in which the appointee resides, and in accordance with this usage, the Committee on Indian Affairs of the Senate voted his rejection. At my request, however, they reconsidered their vote, and gave me an opportunity before the whole Committee to give a full statement of the case, but did not conclude to change their former decision.

Agent Gibson's appointment was confirmed by the Senate on 13th inst.

Efforts have been made for years to secure legislation for the sale of the lands belonging to the Black Bob Band of Shawnee Indians, in Eastern Kansas, but owing to the conflicting interests of the Indians, the settlers and "the speculators," no adjustment has hitherto been proposed that was acceptable to all parties. This Band was allowed by treaty to hold its lands in common. The remainder of the tribe received their allotments. During the rebellion, the Indians being located immediately adjoining the western border of Missouri, were so exposed to the desolations of the guerilla warfare of that region, that they all left their reservation—many of the men entering the Union army. They did not return until after the close of the war. In the meantime, white men, encouraged, as they allege, by the Commissioner of Indian Affairs and the Representative in Congress from Kansas, that these lands would soon be thrown into the market to actual settlers at one dollar and a quarter per acre, located themselves upon these lands of the Black Bob Shawnees, and when the latter returned, they found themselves homeless, and after hovering about the reservation for several years, they scattered in various directions through the Indian Territory, the most of them locating with the Eastern Shawnees in the Quapaw Agency. Before they left however, a considerable number of them sold or are alleged to have sold their allotments (which had been made subsequently to the general allotment for the Shawnee tribe) and issued deeds for the same, to certain parties who were not settlers upon the lands, thus giving rise to the class of so-called "speculators." Some of these deeds have been recognized by the Department and in a few instances patents have been issued, but this process was arrested by special act of Congress. It is asserted that the Indians did not receive the amounts stated as consideration in these deeds. The lands are valuable, but are very variously estimated. Their worth, upon an average, is placed by the settlers at about \$3.00 per acre. The speculators say they are worth \$15.00, and I believe the Superintendent considers them worth about the latter amount. They are entirely occupied and some of them well improved. The Missouri River, Fort Scott and Gulf Railroad passes through or immediately by them, and they are near Kansas City. No one of the parties in interest has sufficient representation in Congress to secure its own wishes, and yet each has strength enough to defeat any combination of the others. So the matter has been delayed from year to year, the Indians getting no benefit from their lands, the settlers having no title, and the speculators having their investments fruitless. I do not see any probable solution of the difficulty this session.

The sale of the lands of the Kaw Indians under the act of 1872 having been suspended till further legislation, a bill is now pending which authorizes the Secretary of the Interior to inquire into the appraisement of said lands, and if he is satisfied that they have been appraised at more than their present cash value, he may either appoint a commission for a re-appraisement or reduce the previous appraisement, the reduction being limited to 25 per cent. The mode of payment is also modified so as to allow it to be made in six annual instalments; but if parties fail to make payments or fulfill other conditions within ninety days from the time such payments are due, they forfeit all rights under the bill and all claim to re-imbursement, compensation, &c. It is probable that the provisions of this bill are as favorable as any that can be secured and that it will be passed the present session. It is certainly important that these lands should be sold as speedily as practicable. The Indians are entirely without funds for their establishment upon their new homes, and have already consumed \$25,000

advanced by Congress, and to be re-imbursed to the treasury out of the proceeds of sales of their lands. The quantity of land sold under the appraisement did not produce enough money to pay the cost of appraisement.

I have presented no name for appointment as Agent of the Kaw Indians, as the Commissioner of Indian Affairs was willing to wait until your present meeting. In the mean time he is seriously considering the proposition to attach this Agency to that of the Osages. The arguments in favor of this annexation are that the Kaws are a branch of the Osage tribe, and of course speak the same language; and are located contiguously. Their number is small, and if placed under the same Agent as the Osages, a closer affiliation of the tribes would be likely to result, which, by leading to inter-marriage, would probably tend to arrest the physical deterioration which has, for many years, been going on amongst the Kaws. If the Department makes this arrangement, the Osage Agent will place a head-farmer amongst the Kaws, whose duties will be the same as those of the four head-farmers of the Osages. I would suggest to the Committee to nominate a Friend for Agent for the Kaw Indians, and also to indicate their views to the Commissioner as to the propriety of the proposed junction of the two Agencies. This junction has long been contemplated by the Indians, and if it is desirable to accomplish it, no more favorable time than the present will probably be found.

A delegation, representing the wilder portion of the Osages, have recently visited Washington. One purpose of their visit seemed to be to endeavor to secure a modification of the law providing for the sale of their late reservation, so that they themselves might have the management of the proceeds of said sale. They are, undoubtedly, instigated to this effort by avaricious men, who desire to defraud them of their funds. When all their lands are sold the nation will be worth probably six or eight millions of dollars, and if the disposition of this sum, or even of its interest is committed to their Council, it will become a source of complete demoralization to the leading men of the tribe, and will go to swell the fortunes of unprincipled claim Agents. There is no probability that any action will, at present, be taken by Congress in this matter, but the simple fact that millions are involved in the proposed legislation, indicates the possibility that it may be accomplished at some time.

The Osage delegation also desired to procure the appointment of a Catholic Agent, and the transfer of their school to that denomination. At the same time a memorial was presented to the Commissioner of Indian Affairs, signed by 28 of the chief counsellors and braves, who are stated to represent about three-fourths of the tribe, in which memorial they say that their school is very prosperous, and that they desire no change in the administration, and disclaim the authority of the delegation then in Washington to represent the views of the Osage Nation. There are about 250 members of the Catholic Church amongst the Osages, a fair proportion of whom are women and children. The course pursued by Agent Gibson has been very liberal. All the Catholics are allowed to exercise their choice of schools,—and those who prefer to send their children to the Catholic School in Southern Kansas receive of the school fund a sufficient portion to defray their expenses. Very many of the Catholics, however, prefer the Agency School.

The settlers upon the late Osage reservation have twice procured legislation which postponed the payment of their lands—but we have hitherto secured interest on deferred payments. An effort is again made to secure postponement and requires attention. It is also a fact that very many of these settlers have never taken any

legal steps to secure titles to their lands, and by organizing in clans for mutual protection, they prevent any other persons, who would be willing to settle upon and pay for the lands from doing so; and as the law provides for the sale of the land to actual settlers only, it is very difficult to remedy this wrong.

The proposition to organize the Indian Territory into a Territory of the United States, is probably growing in favor with members of Congress, as the impression becomes more and more distinct that some form of Government besides the various tribal organizations, is essential to the protection of life, liberty and property in that portion of the country. Several Bills have been introduced, the present session, for this purpose, but none of them is likely to pass. The appointment of a Governor of the Territory, and the institution of a United States Court would seem to be harmless measures, and might tend to promote the observance of law and order; but the organization of a Territorial Legislature with powers to enact laws concerning internal improvements, and on other very important subjects, would probably be a dangerous proceeding. The present inhabitants of the Territory are hardly likely to select a Legislature that could safely be entrusted with such powers; and it would seem desirable in any plan of organization, either to make no provision for a Territorial Legislature, or else greatly to restrict its powers and the subjects upon which it should be allowed to take action. It becomes the friends of the Indian to watch the course of events, and the indications of future action on the part of Congress, with a view of modifying whatever may seem likely to result injuriously, and of securing for this people, in their varying degrees of intelligence and moral development, those regulations which are adapted to their needs.

The Indian Appropriation Bill as now reported to the House of Representatives contains a few features deserving the notice of the Committee.

All the Superintendencies are discontinued except the Central. All the Agencies of the so-called civilized tribes (the Cherokees, Creeks, Choctaws, Chickasaws, and the Seminoles) are discontinued, and the duties now performed by these Agents are assigned to the Superintendent of the Central Superintendency and his salary is increased to \$2,500. In connection with this subject, it should be remembered that the continuance of the Superintendencies has for years been considered by many members of Congress, as entirely useless, and there is no doubt of the correctness of this opinion, so far as most of these offices are concerned. Last year it was with no little difficulty that we succeeded in retaining any Superintendency, and it was clearly the determination at the commencement of the present session to prepare the Indian Bill without providing for the retention of any. An examination of the Treaties however with the Cherokees and others showed that the Superintendent of Indian Affairs was to preside over the Okmulgee Council and so the Central Superintendency is nominally retained in the bill. It is however the desire of the Commissioner of Indian Affairs that the Superintendent should move his office to the Indian Territory and be released from the supervision of many of the Agencies now under his care, and assume the duties of Agents of the civilized tribes, or in fact to become the Governor of the Territory. If this idea is carried out, our Agents will report directly to the Commission at Washington, and the Superintendency will to all intents and purposes be discontinued. It is quite doubtful whether we shall much longer be able to prevent a change of this kind, but I think the bill will be so modified before it passes, and probably before it leaves the care of the Committee, that the change will not be actually enforced the coming year. I also believe the Northern Superintendency will be preserved.

The devotion of Friends to this work impresses our Legislators to such an extent that many of them are unwilling to refuse what we believe to be essential.

Again the bill makes provision for only one Indian Agent for the tribes in Kansas. The Pottawatomies and Kickapoos are about 40 miles apart, and one Agent will have to care for both tribes.

Two hundred thousand dollars are provided for the subsistence of the Indians at the three South Western Agencies, with a proviso that this appropriation shall be expended only on behalf of those Indians who go and remain on said reservations and refrain from hostilities. The Deficiency Bill provides for the same Indians, fifty thousand dollars for the present fiscal year, and fifty-four thousand two hundred and seventy-eight and $\frac{10}{100}$ for last fiscal year. This Deficiency Bill also provides \$10,000 for the Modoc Indians now in the Territory, and the Indian Appropriation Bill \$10,000 for the same.

The latter bill also limits the amount (except as therein otherwise provided) to be expended at any one Agency for employees at \$6,000.

It prohibits the payment of any appropriation to any band of Indians whilst any portion of said band may be at war with the United States or with the white citizens of any State or Territory.

It prohibits the making of any expenditure for the next fiscal year beyond the amount specially provided in the bill.

It prohibits the giving out of supplies for more than one week in advance, and imposes the duty upon Agents of requiring service of all able-bodied Indians, from 18 to 45, for the benefit of themselves or of the tribe, to an amount equal in value to the supplies furnished them, except in the case of such tribes as the Secretary of the Interior may consider too wild and ungovernable to submit to such a regulation.

It continues the President's Board of Indian Commissioners.

It provides \$7,000 for the Okmulgee Council.

It empowers the Secretary of the Interior to set apart for educational purposes, such amounts of the annuities of any tribe as he may deem best for the welfare of the Indians.

It re-appropriates the unexpended balance of the Civilization Fund of the Central Superintendency, which was no longer available after the commencement of the present fiscal year, (6th Mo., 30th, 1873,) viz., \$24,480. ^{$\frac{86}{100}$} , and appropriates for the present fiscal year for the same purpose, \$10,000.

It provides \$ for the Kickapoos, which have been removed from Mexico, and \$65,000 for the removal of the remainder.

Our application for \$50,000 for a Civilization Fund was at first rejected by the Committee on Appropriations, as were all similar applications, under the pressure of public sentiment in favor of retrenchment. They finally agreed however to the two appropriations of \$10,000 and \$24,480, with the provision authorizing the Secretary to use annuities for educational purposes. There is considerable doubt whether Congress will agree to this latter provision, as it is, to some extent, in conflict with treaty stipulations. There can be no doubt, however, that it would be far better for the Indians, were their annuities mainly used in this way. The payment to them of money, tends to destroy their inclination to self support and demoralizes them in various ways.

The Deficiency Bill also provides \$25,000, (reimbursable), for the Kaw Indians, (\$20,000 for settlement, and \$5,000 for buildings,) to be available as soon as the bill becomes a law.

The Kickapoos that were removed last year from Mexico, reached the neighborhood of the Wichita Agency about the first of 12th mo., and, owing to the exhaustion of their ponies, have remained in that section to this time. Special Agent Andrew C. Williams, met them near the Wichita Mountains, and after remaining with them a month, returned to the reservation immediately west of the Arkansas River and south of the southern line of Kansas, where he had located the women and children belonging to this tribe, who had been captured in Mexico by Gen. McKenzie. Of these there are 14 women and 22 children. Those near the Wichita Agency number 325 making 361, and there is probably an equal number still in Mexico, for whose removal arrangements will be made. Their location is still undetermined, though the Commissioner inclines to place them in the Chickasaw country instead of near the Kansas line, as at first contemplated.

In my last report I stated that, as there were no funds applicable to the erection of Agency Buildings on the Kickapoo reservation in Kansas, it had been arranged for Agent B. H. Miles to reside at the Boarding School, and for his wife to act as Matron of that establishment. There is reason to believe that this plan has been beneficial. I refer to the following report of the Agent, Matron and Teacher, for the latest information, in my possession, concerning this tribe.

KICKAPOO AGENCY, KANSAS, 3d mo., 31st, 1874.

WILLIAM NICHOLSON, *Washington, D. C.*

Enclosed I transmit Reports from the Matron and Teacher of our "Kickapoo Mission," which I hope will be satisfactory to the Committee, for we feel much encouraged in the work from our experience thus far, feeling, as we do, that there has been some further advancement in the right direction. The parents of the children attending School, are becoming very much more interested in our efforts to establish such discipline as is desirable in such a place, and uphold us in any requirement that is calculated to do them good.

Our Sabbath School has been regularly held at eleven o'clock each Sabbath, in which capacity we usually spend two hours, by first singing hymns and reading from the scriptures, after which—lessons, by those who read, with appropriate questions; those who cannot read sufficiently to understand its meaning, are given such lessons as are calculated to lay the foundation for future usefulness. School is closed by reciting texts, and reading and singing, and to say the least, such seasons are very enjoyable.

Owing to the continued cold weather we have not done much gardening, but have our *hot bed* made, and plants coming on as fast as the season will permit, and expect, "Providence permitting," to raise such vegetables as are needed for the support of the institution.

I am satisfied that the Tribe in general are more in earnest this spring than ever before to make their farming operations a success, and I have spared no pains in assisting to get their implements in readiness, and have them repair their fences so as to protect what they may raise.

There is a deep religious feeling existing in the Tribe and services are held regularly each Sabbath.

Thy Friend,

B. H. MILES,
U. S. Indian Agent.

MATRON'S REPORT OF KICKAPOO MISSION, FROM 11TH MO. 27TH, 1873, TO
3D MO. 31ST, 1874.

B. H. MILES, U. S. Indian Agent.

On assuming charge of Kickapoo Mission, 11th mo., 27th, 1873, there were 24 children in the institution, in good health and comfortably clothed, but were very restless and disorderly, seeming determined to continue the practice of running home at pleasure, as they had been doing for some months previous. When any one of them was missing, the Agent went in pursuit, overtook and brought them back before they got very far away, and gave them to understand that they positively should not leave without permission to go home, or any where else, and we soon got through that trouble, and the children began to seem more contented and obedient and orderly about and in the house.

We got up a Christmas Tree for the pleasure and benefit of the children, on the eve of 25th of 12th mo., and were kindly assisted in the enterprise by "Friends" of Ohio Yearly Meeting. Had the children's parents invited to supper, and to see the presents we had arranged to give them, and I am sure they, as well as the children, were pleased and gratified to the fullest extent with the occasion, which will long be remembered by them; the children say they wish we would have a Christmas Tree every three months. The parents took the children home for a visit during holidays, giving us a chance to clean and regulate the house, and to get every thing ready for next term, which opened 1st of 1st quarter, 1874, with 28 scholars, and soon increased to 43 in number, and but for sickness I think our family would have averaged over 40, and it is with pleasure that I report the children as seeming perfectly contented and happy here, and willing in all respects to comply with our requirements.

Have made it my study and prayer to know how to win their love, and how to make them feel attached to this place as their home, and us as their benefactors, and we feel happy in knowing that we have been blessed with frequent assurances from their own lips and in their conduct toward us, and feel stimulated to press on with renewed energy to accomplish *greater good*.

The girls are very good, and willing to perform the work assigned them, and we manage to keep the larger ones pretty closely occupied, night and morning, and 7th days, with dish washing, bed making, sweeping, scrubbing, &c, and they often help with washing and ironing, and frequently with cooking. Many of them sew as well as women and have a taste for it, and I'm certain if they have any chance to practice the lessons taught them here, when they grow into womanhood, their example and influence will do a great deal of good to those of their tribe who so much need the example and teaching.

The boys have not had very much work to do out of doors this winter, except carrying in wood, pumping water, &c., but now that spring work is on hand we expect to have them help about gardening and farming, and they seem anxious to engage in such work.

The children are collected each day for devotional exercises and religious teaching.

Respectfully,

IRENE D. MILES,

Matron, Kickapoo Mission.

On taking charge of the Kickapoo Mission School 11th month 27th, 1873, there were 24 scholars in attendance; Number increased during the quarter to 34; went to work to establish good order, which seemed to be the thing most needful; average attendance, 27; closing 12th month 25th, 1873.

Commenced next quarter with 28 scholars, and the number increased in a short time to 43; average attendance during quarter, 35. There were nine new scholars come in who had never attended school, their ages ranging from 3 to 5 years.

In a few days got the classes arranged and every thing went nicely during the term. Some of the scholars have progressed finely, and the larger ones have been growing more and more interested in their studies throughout the term, and at the close many of the children did not care about leaving for a week's vacation.

Branches taught, Orthography, Reading, Writing, Arithmetic, and Geography. At the commencement of the term, 9 were in the Alphabet Class; at the close only 4. The others having gone to the First Reader.

Four read in History; 10 in the Third Reader; 9 in the Second Reader; 9 in the First Reader; 10 study Geography, and 4 have made considerable advancement in it. 4 study Practical Arithmetic. They commenced in Addition; have got to Reduction of Compound Numbers; 14 are studying the Multiplication Table.

All the children are drilled in Spelling, and their advancement has been pretty good.

ELIZA H. COX, Teacher.

Amongst the Pottawatomies there has been much and fatal sickness during the past winter, mostly from acute pulmonary afflictions. About one-twentieth of the tribe have died within the last six months. The School continues in successful operation under the care of John and Rebecca Newlin, and has numbered about the same as at last report, (34.) The attendance is quite regular—some of the children remaining for three or four months consecutively without visiting their homes.

The girls render assistance in the kitchen, taking turns of a day's service, and some of them have learned the important accomplishment of baking good bread.

One young man of good habits has entered the School with the intention of remaining for three years, although his parents are opposed to education.

The supply of cattle and hogs, poultry, &c., and their good condition, with the crops of wheat, (Fall and Winter,) corn, hay, pumpkins, &c., indicate that Agent Newlin intends to make the Institution self-supporting, so far as practicable.

A delegation of Pottawatomies has been in Washington for some time endeavoring to procure an equitable adjustment of their affairs with the Government, and has received such assistance as I have been able to give them. Their case is now before the Assistant Attorney General, whose report will probably determine the action of the Department.

The Kaw Indians have quite recently returned from a successful buffalo hunt, bringing in about 800 robes. They are now engaged in making rails and some of them are exchanging their robes for hogs.

A Day School attended mostly by the children of the half-breeds was kept up until the last of 2d mo., when it was suspended on account of the removal of the parents to too great a distance from the Agency. The children who attended the Mission School on the old reservation frequently beg to come and live again with their former care-takers but no buildings are in readiness for their accommodation.

Quite a change is noticeable in the half-breeds, most of whom are Catholics. No case of drunkenness has occurred amongst them for months past; some of them attend the religious meetings held at the Agency. At their request religious meetings have been held by the Agent and his co-laborers amongst them, some of which have been blessed seasons in which these people manifested much religious sensibility.

I invite your attention to the subjects of Agency and School Buildings, &c., alluded to in the accompanying letter of Agent Stubbs, and to the correspondence between Superintendent Hoag and myself relative thereto.

I also present copy of a letter addressed to me by Agent I. T. Gibson, with reference to the need of additional funds for carrying on the work of civilization amongst the Osages, and conveying information as to the condition of affairs in that tribe. The School has, since the date of that letter, increased to seventy pupils. In consultation with the Commissioner of Indian Affairs, it was concluded to apply to Congress for permission to use for a limited period, a sufficient amount of the proceeds of sales of the late Osage reservation, such permission being continued, if Congress deemed it necessary, upon the consent of the tribe. The accompanying correspondence shows the action taken in the case. The bill being considered by the Senate Committee on Indian Affairs was returned with an adverse report and indefinitely postponed, and owing to the *peculiar* nature of the opposition to the plan no attempt is advisable to renew it the present session. There will only be about \$15,000 available for the civilization of these Indians the ensuing fiscal year, and the Agent will be compelled to curtail his work very much:

OFFICE FOR OSAGES, 1st mo., 27th, 1874.

DR. WM. NICHOLSON, Agt. Ass'd Ex. Com.,

Washington City, D. C.

We have conversed about the needs of the Osages for the current year, commencing 7th mo., 1st day, and speculated as to where the necessary funds were to come from.

When I was in Washington, some weeks since, I spoke to Commissioner Smith on the subject, after I found that nearly all the proceeds of the Osage lands had been paid over to the Cherokees; the Commissioner remarked, after some deliberation, that we had better leave that matter with thee to investigate and suggest how the funds for next year could be provided.

To meet the demands of this tribe for wagons, plows, harness, clothing, furniture for houses, &c., to keep up the school, shops, hospitals, mills, &c., at least \$150,000 ought to be and can be well expended. All that is now wanting is the proper handling of this people and the judicious expenditure of their means, and they will rapidly civilize. They are *now* rapidly civilizing. Ten families of blanket Osages have gone into good houses during the month, that they have assisted in building, and these have just asked me for the following articles: "chairs, tables, wash-tubs, wash-boards, smoothing irons, and dog irons."

Though the School Building is incomplete, and not fenced, we opened school on New Years day, and have over 30 pupils,—3 of them work in the shoe shops half the day, 1 in a carpenter, and 1 in the black smiths shops, others doing heavy work in kitchen and wash-room, hauling wood, &c. The girls are also engaged in industrial pursuits. All going off nicely—most of them have Catholic parents—they do not run away, but some cry when their parents come, for fear of being taken away, and some run away from home to the school. When the blanket Osages come in

from the plains, we cannot provide for half the children that are promised us to school.

We have heard of no depredations of the Osages on the plains this summer and winter—the like never been before—everything connected with the improvement of this people is prospering, and it would be an unspeakable calamity if no funds are provided for the coming year.

Thy Friend,

ISAAC T. GIBSON,

U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR,

Washington, D. C., February 27, 1874.

SIR: I have the honor to present herewith a copy of a communication, dated the 25th instant, from the Commissioner of Indian Affairs, with a copy of a letter from a member of the "Committee of Friends," directing attention to the necessity that exists for rendering available, for the purpose of their civilization, the ample accruing funds of the Great and Little Osage Indians.

Concurring in the recommendation that Congress be requested to authorize an annual expenditure of \$200,000 for four years from the proceeds of the sales of the lands of the Great and Little Osage Indians in Kansas, or of so much of said proceeds as under the direction of the Secretary of the Interior shall be deemed necessary for the support and civilization of said Indians, I submit herewith a draught of a bill for the purpose, to which the attention of Congress is respectfully invited.

Very respectfully, your obedient servant,

C. DELANO,

Secretary.

The SPEAKER of the House of Representatives.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Washington, D. C., February 25, 1874.

SIR: Herewith I have the honor to inclose copies of a letter from William Nicholson, of the Committee of Friends on Indian Affairs, dated the 6th instant, in which the attention of the Department is invited to the necessity for some arrangement being made "by which the ample accruing funds of the Great and Little Osage Indians may be made available for their civilization."

By the 12th section of the Indian appropriation act of July 15, 1870, (Stat., vol. 16, p. 362,) it is provided that the United States, in consideration of the relinquishment by the Osage Indians of their lands in Kansas, as stipulated in the 2d article of the treaty with said Indians of September 29, 1865, (Stat., vol. 14, p. 688,) shall pay annually interest on the amount of money received as proceeds of sale of said lands, at the rate of five per centum, to be expended for the benefit of the tribe.

The greater portion of these proceeds up to the present time having, as Mr. Nicholson states in his letter, been expended in the purchase of the removal to their new reservation in the Indian Territory, and in their settlement thereat, the interest, as it accrues, is insufficient to provide for the necessities of the tribe to carry on the important work of their civilization and improvement.

It is, therefore, recommended—and the Office sustains the recommendation—that Congress be asked to authorize an annual expenditure for four years of \$200,000

from the proceeds of the sales above referred to, or so much thereof as under the direction of the Secretary of the Interior shall be deemed necessary for the support and civilization of said Indians.

A draught for a bill with the above object in view is herewith respectfully submitted.

Very respectfully, your obedient servant,

EDWD. P. SMITH,
COMMISSIONER.

The Hon. SECRETARY OF THE INTERIOR.

WASHINGTON, D. C., *February 6, 1874.*

It is my duty to call thy attention to the necessity for some arrangement by which the ample accruing funds of the Great and Little Osage Indians may be made available for their civilization.

The act of Congress of July, 1870, provides that the interest of the proceeds of the sales of their lands in Kansas may be used for their benefit in such manner as the President shall deem best. Nearly the whole of these proceeds to the present time have been required for the purchase of their new reservation, and for their removal and settlement. The simple provision of interest, therefore, is not for the present sufficient to supply them with the necessary means of civilization.

These Indians number 3,500, and are located in four principal settlements, each of which is in charge of a farmer, who, (with his assistants) resides at a station most central and convenient to the Indians under his special care. At each of these stations are kept oxen, plows, wagons, and other farming implements for general use in that division. The agency is centrally located as to these four stations, each of which is visited by the agent as often as practicable.

These Indians have mainly lived heretofore by the chase, but are now manifesting a most remarkable disposition to a settled life. When they were about to leave for the plains last Spring for their usual hunt, the Agent offered to such of them as were willing to adopt a different mode of life \$2.50 per hundred for rails split and laid into a solid staked and ridged fence, and also to have the land thus inclosed broken for them to plant. Fifty-eight heads of families at once went to work, making and putting into fence 81,000 rails, and providing for each of these families a spot of ground which they could call home. Many others, upon their return from the hunt, selected locations, and desired land broken for them, which was done to the extent of the means at the agent's command. About 1,100 acres were broken last year, in lots varying from one acre to eighty, and their farm products greatly exceeded those of any previous year in their whole history. A young half-breed Osage is studying medicine, and renders good service as assistant and interpreter to the physician. Two workmen in the blacksmith-shop, the wheel-wright and the gunsmith, are all Osages. All the laborers at the saw-mill, except the engineer and sawyer, are blanket Osages. The principle of this mode of managing Indians is exceedingly important. Instead of distributing the funds of the tribe per capita, and thus promoting dependence and thriftlessness on the part of the Indian, and inciting schemes of swindling on the part of the white men, each individual Indian becomes the actual owner of the funds of his tribe in the exact proportion of his industry. The ratio of distribution is changed from a numerical to an industrial basis, and besides, each Indian receives the actual productive results of his own industry; and the principle upon which he comes into possession both of the money of the tribe, and of the results of the labor which that money purchases, is that of earning it by his own hard work. That which is earned in this way is seldom

wasted. It is valued somewhat in proportion to its cost, and the desire of individual ownership and possession thus stimulated becomes a safeguard against the disposition to waste and misuse which too often converts the system of money payments into a blighting inheritance.

Agent Gibson, in charge of these Indians, writes me, under date of 27th ultimo, that during that month (January) ten families of blanket Osages have gone into good houses, which they have assisted in building, and that they are asking for chairs, tables, wash-tubs, wash-boards, smoothing-irons, &c. He opened the Manual Labor Boarding School on New Year's day, although the building is not completed, and there are over thirty pupils, three of whom work in the shoe-shop half of the day, one in the carpenter-shop, and one in the blacksmith-shop. Others do the heavy work in and about the kitchen and wash-room, haul wood, &c. The girls are also engaged in the household and kitchen departments. The children seem happy, and manifest no disposition to run away from the school. When the blanket Osages come in from the plains, the present accommodations will not suffice for half the children that have been promised. He furthermore states that he has heard of no depredations committed on the plains by Osages during the preceding Summer or the present Winter. This could never have been said of them during any similar period in the past.

It seems to me of the utmost importance to encourage the newly-awakened disposition of these Indians toward civilization by a judicious expenditure of their own funds, and I earnestly recommend that application be made to Congress to authorize the Secretary of the Interior to expend annually for four years, for civilizing and beneficial purposes among them, the sum of \$200,000 of the proceeds of their late reservation, or so much thereof as he may deem necessary.

Very truly, &c.,

WM. NICHOLSON,

General Agent of Associated Executive

Committee of Friends on Indian Affairs.

HON. E. P. SMITH,

Commissioner of Indian Affairs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to expend from the proceeds arising from the sale of lands of Great and Little Osage Indians in the State of Kansas, as referred to in the twelfth section of the Indian appropriation act, approved July fifteenth, eighteen hundred and seventy, the sum of two hundred thousand dollars per annum for four years from the passage of this act, for the support and civilization of said Indians, or so much thereof as he may deem necessary for such purposes.

In the Quapaw Agency there is an average attendance of 160 children this winter, as follows: Quapaw Mission 60—28 of whom are Modocs; Ottawa Mission 25; Wyandotte Mission 50; Peoria and Miami day School 25.

I present interesting correspondence concerning these schools for your information.

The remainder of Captain Jack's band of Modocs from Oregon, were placed on this reservation last fall. There were no funds available for their settlement or subsistence. They number 157 and should be provided with a location and aided in settling themselves. It seems now to be generally admitted that the Modoc war

might easily have been avoided by the judicious expenditure of a very small part of the \$6,000,000 which it is estimated to have cost the Government.

Certain persons about Seneca, Missouri, have recently presented to the Commissioner of Indian Affairs, through a member of Congress, charges against Agent H. W. Jones of official misconduct. The Commissioner referred the matter to Superintendent Hoag, who informs me that he commissioned Washington Hadley to investigate the matter, and that his report (not yet sent in) will acquit Agent Jones of the accusations. The Indians of that Agency have been in the habit of trading at Seneca and Baxter Springs, and have been very much demoralized by the supplies of whisky furnished them at those places. Since the establishment of a licensed trading post near the Agency, they comparatively seldom visit those border towns, and the loss of their trade has doubtless instigated the false accusations against Agent Jones.

For information concerning affairs at the Sac and Fox Agency, and amongst the Absentee Shawnees, I refer to accompanying letters of Agents J. H. Pickering, Alice Hunnicutt and Joseph Newson. It would be very desirable if a dwelling could be erected for the comfort of J. Newson and family. The funds at my command were entirely insufficient for this purpose last season. As these Indians have no annuities, and as our Civilization Fund will be cut down to \$10,000 for the whole Superintendency, I see no prospects of a boarding school for their children. The most that can be expected is to maintain a day school. If, however, a comfortable dwelling were provided, the family might be able to board a few children, provided their parents would bear the expenses.

From the Cheyenne and Arapahoe Agency, I have had no recent information.

The School at the Wichita Agency is flourishing and numbers about seventy. I refer to letters of Agent Richards herewith presented.

I have had no recent report from Agent Haworth concerning affairs at his Agency.

Our Friends Thomas Wistar and Dr. J. E. Rhodes, accompanied by Marmaduke C. Cope and Cyrus Beede are upon a visit to these Southwestern Agencies, and will be able to give full information concerning them on their return.

In reference to the request in Minute No. 11, of the proceedings of the Committee at its last meeting, I would report that upon further consideration, it became very evident to my mind, that no person could be safely and profitably introduced into the Kiowa camps until he had learned something of Indian character by an actual residence amongst them, and until he had learned to some extent the sign language. The only source from which we could expect to obtain suitable persons was amongst the employees at these Southern Agencies, and it therefore seemed unnecessary to publish any statement in regard to the matter. Besides, a very large number of applications were made very soon after the meeting of the Committee for this service. Some of these were employed at the Agencies in various positions, with a view of fitting themselves for a residence in the camps.

At the meeting of the Committee in Sixth month of last year, I was directed to to prepare the Annual Report in time for consideration of the Committee at their "Summer Meeting." The present meeting is at so early a period of the year, that the Annual Report, if prepared now, would not be fresh at the assembling of the Autumnal Yearly Meetings, and if the Committee does not hold a meeting during the ensuing Summer, some direction should be given for the issuing of the usual report.

Respectfully submitted,

WILLIAM NICHOLSON.

14. Fourth Day, 4 P. M. Met about the time adjourned to. Present as at the morning session; also James Whittall, of Philadelphia, as substitute for Thomas Wistar, who is absent in the Indian Territory.
15. Our General Agent proceeded with his Report and concluded the reading of it. The various interesting points brought to view were taken into consideration in detail :
 - (1.) The present position of Mahlon Stubbs was considered, the Committee being desirous to retain his valuable experience and services in the same field, but the subject having been heretofore referred to the Washington Committee, is left in their hands.
 - (2.) The Committee recurring to the question as to the proposed junction of the Kaws and Osages, unites in believing that such union would be advantageous and desirable, and directs that our view on that question be communicated to the Commissioner of Indian Affairs.
 - (3.) In case the union of these tribes be not carried out, the Committee agrees to propose the name of Aaron Huddleston as Agent for the Kaws, and directs the Clerk to communicate the same to Secretary Delano.
 - (4.) The matter of the Black Bob Indian lands, and also of the re-appraisement of the Kaw lands, is referred to the General Agent and Washington Committee for such action as may seem advisable, for the interest of the Indians, in conjunction with the Superintendent.
 - (5.) Our General Agent and Washington Committee are directed to continue a watchful care over the matters connected with the Osage Indians, brought to view by the General Agent's report, and to take such action thereon, at any time, as may seem necessary and proper.
 - (6.) The subject of a Territorial Government for the Indians was considered and discussed. As the question is continually being raised and pressed upon Congress, and as some arrangement for the protection of life and property in that Territory, is desirable, and if any such arrangement is made, our duty is to see that the rights of the Indians are respected and preserved, the Committee, feeling the difficulty and importance of the question, refers it to the following Friends, who are desired, in connection with the Superintendent and General Agent, if possible, to digest some plan for this purpose, and report to a future meeting of this Committee, viz: Jas. E. Rhoads, Benjamin Tatham and John B. Garrett.
16. The Committee then adjourned until 8 o'clock P. M.
17. Fourth Day evening. Committee met according to adjournment.

18. Proceeded with the consideration of the General Agent's report.

(7.) That part of the report in reference to the change of the Superintendency proposed by a bill now before Congress, was brought to view, and the Committee believing that the abolition of the office of Central Superintendent will be a serious disadvantage to our work, directs our Washington Committee to endeavor to prevent the passage of the law in that form.

(8.) * * * * *

(9.) The matter of appropriations is referred to the care of the General Agent and Washington Committee.

(10.) The preparation of an Annual Report for the present year is referred to the General Agent, and we appoint Charles F. Coffin and Washington Hadley to assist him. They are directed to have 1,000 copies printed in season for the Yearly Meetings of Iowa and Ohio; they are directed to have a map to accompany the report, if one can be procured without too great expense.

19. Then adjourned until 10½ o'clock A. M.

20. Fifth Day morning, 4 mo. 16. The Committee met according to adjournment.

21. Proceeded with consideration of the General Agent's report.

(11.) The needs of the Osage Agency were referred to the General Agent and Washington Committee, who are directed to endeavor to procure additional appropriations to carry on the very interesting work in progress in that tribe.

(12.) The Committee direct the application of a sum not exceeding \$500, from the interest of the Shawnee Fund of Indiana Yearly Meeting, towards a suitable building for the Friend residing with the Absentee Shawnees, under direction of the General Agent as he may think advisable.

(13.) * * * * *

(14.) The subject of additional buildings, &c., for the Kaw Agency, is referred to the General Agent, for such action as he may be able to take to satisfactorily adjust the business.

22. The Committee directs that all our Agents use great care not to permit their expenditures to exceed their appropriations for building or other purposes, and especially to keep, at all times, within the written instructions of the Commissioner of Indian Affairs; and not assume responsibilities which are not so unauthorized.

23. * * * * *
24. Then adjourned until 3½ o'clock P. M.
25. Afternoon—met at the time adjourned to.
26. The Business Committee reports as follows in reference to the communications referred to them.

The Business Committee to whom the communications from B. C. Hobbs and Lawrie Tatum were referred, having considered them separately, report, that the one from B. C. Hobbs contains many points of interest which the pressure of other business seems to preclude action being taken upon at this time, and that those points can be better developed at some future time by him, than any one of the Committee now present.

The letter of Lawrie Tatum appears to refer to matters in the past, and we cannot discern how it calls for action at our hands at this time. His printed narrative is one showing much experience of his four years' life amongst the Indians at Fort Sill, and would be interesting to almost any one in sympathy with Indian work.

EDWARD EARLE,

4th month 16th, 1874.

For the Committee.

27. The Committee on the Treasury reports as follows, which is accepted, and the sum of \$4,000 is directed to be raised in the proportions heretofore ordered:

PHILADELPHIA, 4TH MONTH 16TH, 1874.

The Committee to examine the accounts of Charles F. Coffin, Treasurer, report that they have compared his payments with the vouchers and find his account correct, the balance in his hands being \$1,844.76.

They recommend the raising of four thousand dollars through the several Yearly Meetings.

EDWARD EARLE,

For the Committee.

C. F. COFFIN, Treasurer Associated Executive Committee on Indian Affairs:
1873. Dr.

10 Mo. 9.	To Balance as reported to the Committee at Lawrence.....	\$3,595 91
" 30.	" Amount received of Isaac Brooks, jr., Treasurer of Baltimore Yearly Meeting, assessment of 1871 and 1872,.....	230 00
11 Mo. 15.	" " " Josiah Nicholson, North Carolina Yearly Meeting, 1871,.....	100 00
1874.		
1 Mo. 7.	" " " Edward Tatum, New York, 1873,.....	340 00
" 16.	" " " G Howland, New England, 1873,...	340 00
3 Mo. 18.	" " " Clayton Hunt, Treasurer Indiana Yearly Meeting, from "Shawnee Fund,".....	221 44
4 Mo. 9.	" " " Do., Assessment, 1873,.....	340 00
" 10.	" " " Francis T. King, Baltimore, 1873,....	80 00
" 15.	" " " Interest, Provident Life & Trust Co.,...	55 94

\$5,303 29

		Cr.	
1873.			
10 Mo. 28.	By amount paid Shearman & Co., voucher 1,	\$ 125 00	
11 Mo. 12.	" " Cyrus Beede, " 2,	500 00	
" " " " William Nicholson, " 3,	1395 90		
1874.			
1 Mo. 2.	" " " " " 4,	672 25	
2 Mo. 7.	" " " " Shawnee Fund, voucher 5,	100 00	
4 Mo. 4.	" " " " voucher 6,	660 00	
" 10.	" " C. F. Coffin, postage, etc.,	5 38	
" 15.	Balance in Treasury,	1844 76	
			\$5303 29

C. F. COFFIN, *Treasurer.*

The following assessments upon the Yearly Meetings remain unpaid:—

North Carolina, 1872,	\$40 00
" " 1873,	40 00
	<hr/> \$80 00
Iowa, 1871,	\$200 00
" 1872,	160 00
" 1873,	160 00
	<hr/> \$520 00
Ohio, 1873,	\$160 00

Notices have been sent to all six months past due, according to direction of the Committee.

28. The Washington Committee reports as follows, viz:

PHILADELPHIA, 4th mo., 16th, 1874.

The Washington Committee have endeavored to give the needful attention to such matters as have been referred to them, the results of which mostly appear in the report of the General Agent.

The subject of removing the Kiowa and Comanche agencies from the vicinity of Fort Sill, has claimed the attention of the Committee. Conference has been had with the Secretary of the Interior, and also with the President, both of whom admitted the propriety of the removal, and took the subject under their special consideration. We have not yet heard that anything has been done.

Dr. Nicholson has expressed his opinion that the Indians should be removed still further from Ft. Sill than has been contemplated, and the Committee are of the opinion that his views of the subject should be considered. Early in the 12th mo. last, some members of the Committee were requested to meet in Washington, in relation to an order, which, in their opinion, threatened the peaceful relations between those Indians (the Kiowas and Comanches) and the U. S. Government. The Committee represented the circumstances to the department of the Interior, and the oppressive order was at once revoked. By this prompt action the Committee believe an Indian War was averted.

EDWARD EARLE, *Chairman.*

29. The subject of the establishment of a supply station for the Kiowa and Comanche Indians at a greater distance from Ft. Sill, and from the Texas border, and the removal of the Agency therefrom, was

introduced and fully considered. It is the united judgment of this Committee that some such arrangement is desirable, and the subject is referred for further consideration to the Washington Committee, who are desired to report thereon to our next meeting.

30. James E. Rhoads is appointed in addition to the Washington Committee.
31. The Committee upon a Memorial to Congress, made the following report, which is united with, and the same Friends are continued to the service and directed to prepare such an one, if way opens for it, and have it presented to Congress and published. James E. Rhoads is appointed in place of Murray Shipley, released at his request.

The Committee appointed in relation to a Memorial to Congress, are united in proposing that a document be prepared that shall show the past and present condition of the Indians, since Friends took charge of them; embracing statistical information covering the work which has been done; its difficulties and encouragements; and what is yet necessary to their Christianization and civilization; illustrating the subject by incidents and facts, drawn from the experience of those who have been engaged in the this work, and that this document together with a suitable Memorial, be prepared by a Special Committee and submitted to the next meeting of the Associated Executive Committee for such action as may be then decided upon.

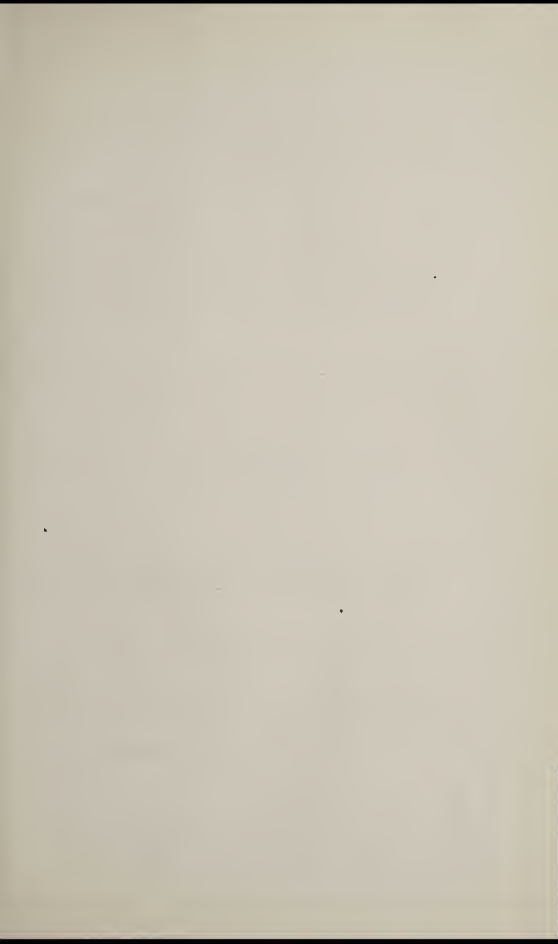
On behalf of the Committee,

BENJAMIN TATHAM.

4th month 16th, 1874.

32. The Clerk is directed to have such selections made from the Minutes of the present meeting as may seem advisable, and 250 copies printed, and each member of the Committee supplied therewith.
33. It is concluded that the next meeting of the Committee be held at Lawrence, Kansas, on Fifth Day, 10th month, 15th, 1874.
34. Having been favored during the sittings of this Committee with a feeling of great harmony and love, under a sense of the loving kindness of our Heavenly Father, with thankfulness for all His mercies, the Committee solemnly concludes.

CHARLES F. COFFIN, CLERK.



100-1000 199

100-1000 10

4

TESTIMONY

OF

GEN. GEORGE A. CUSTER,

BEFORE

The Committee of Expenditures of the War Department.



TESTIMONY

OF

GEN. GEORGE A. CUSTER,

BEFORE

The Committee of Expenditures of the War Department.

WASHINGTON, March 29, 1876.

General GEORGE A. CUSTER sworn and examined.

By the Chairman:

Q. Where are you in command?

A. At Fort Abraham Lincoln, Dakota.

Q. How long have you been in command there?

A. Three years.

Q. Please state who were the post or Indian traders at the different forts and Indian posts on the Upper Missouri at the time you came there, if you recollect them, taking the posts consecutively as you go up?

A. At Fort Rice, Captain Harmon was post trader three years ago; at Fort Lincoln, S. A. Dickey. The other posts I cannot testify to positively. It was difficult to tell who were the traders at that time.

The Chairman. If you will name the posts as you go up, I will give you the traders from the official list.

The Witness. Fort Sully.

The Chairman. Durfee and Peck were there until 1872. George R. Durfee was appointed June 21, 1872, and superseded July 3, 1874; so he must have been there when you came there.

The Witness. Fort Rice.

The Chairman. Miller resigned there May 26, 1873, and William Harmon succeeded him.

Witness. That is the one that I mentioned. The trader at Fort Lincoln was S. A. Dickey. As to the forts further up I cannot state positively.

Q. If changes were made in these post traders, can you tell me how they were brought about?

A. Only at Fort Abraham Lincoln, at which post I reside. I can testify more particularly in regard to that.

Q. Go on and state what you know about it.

A. S. A. Dickey was trader there in 1873. He was appointed before I went there. The first time my attention was called to the change, or proposed change, in the post tradership at Fort Lincoln was by this letter, by order of the Secretary of War.

“WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
WASHINGTON, *January 5, 1876.*”

“To the COMMANDING OFFICER,
Fort Abraham Lincoln, Dakota Territory :”

“SIR: The President has been informed by First Lieutenant W. W. Dougherty, Twenty-second Infantry, that Mr. S. A. Dickey, post trader at Fort Abraham Lincoln, is charged with violation of the revenue laws and introducing intoxicating liquors among the Indians. It has been also represented to the President that the office of post trader is held by Mr. Dickey really for the benefit of Robert Wilson, formerly trader at Fort Riley, and who was driven from that post for disloyalty.

“The Secretary of War therefore directs that you investigate the matter and make full report to this office of the facts in the case.

“Very respectfully, your obedient servant,

“(Signed)

E. D. TOWNSEND,
Adjutant General.”

Upon the receipt of this letter, I began an investigation, but was unable to find that Mr. Dickey had violated the revenue law. He had introduced liquors into the Indian Territory, but, as was afterwards shown, he had done it by military authority. Mr. Robert Wilson and Mr. Dickey managed the business of post tradership together. As to question of disloyalty, Mr. Wilson furnished ample proof that he had always been loyal. Among other letters, he

had one from Vice-President Wilson, and others from quite a number of prominent officials, relating to this charge of disloyalty. I made a report to the Secretary of War, in which I stated that Mr. Dickey was an unfit person to hold the appointment of post trader, on account of the bad influence he exercised over young officers. The next letter I received was May 29, 1874:

“WAR DEPARTMENT, ADJUTANT GENERAL’S OFFICE,
WASHINGTON, *May 29, 1874.*

“SIR: You are hereby notified that the Secretary of War has appointed Mr. Robert C. Seip a post trader at Fort Abraham Lincoln, Dakota Territory, under the provisions of section 22 of the act of July 15th, 1870, to take effect July 1st, 1874.

“As soon as Mr. Seip shall be prepared to enter upon the discharge of his duties, you will cause the removal from the military reservation, Fort Abraham Lincoln, Dakota Territory, of all traders not holding a letter of appointment from the Secretary of War under said act.

“By order of the Secretary of War:

(Signed)

E. D. TOWNSEND,
Adjutant General.

“To the COMMANDING OFFICER,
Fort Abraham Lincoln, Dakota Territory.”

Mr. Robert Wilson, who was a partner of Dickey’s, and who was removed, published a letter, it seems, in regard to it. I don’t remember that I ever saw the letter that was published, but my attention was called to it by a letter from the Secretary of War sent to General Sheridan, and afterwards transmitted to me through the official channels.

“WAR DEPARTMENT,
WASHINGTON, D. C., *Sept. 11, 1874.*

“General P. H. SHERIDAN,
Chicago, Ill.:

“MY DEAR GENERAL: I have had a slip inclosed to me by mail, a slip from some newspaper, I do not know where published nor what paper it is from, containing an advertisement of a card signed by himself and addressed from Bismarek, D. T., to Mr. A. C. Leighton, post trader at Fort Buford, in which Mr. Wilson remarks that ‘I am satisfied

that the Secretary of War is a party indirectly interested with the firm of which R. C. Seip, the newly-appointed trader at Fort Lincoln, is a member.

"I care nothing about this, beyond the apprehension that this remark will make more or less of an impression on army people, and men are more anxious generally to believe a lie than the truth. The thing is a lie, of course. I had nothing to do with the removal of the trader at Lincoln: he was ordered to be removed by the President, and was permitted to resign. The order came to me in the President's handwriting, and is filed with papers in the case. The order refers to the fact that Dickey is charged with violation of the revenue laws, and of introducing whisky among the Indians. It further states that the office is held in the name of Dickey, but really for the benefit of Robert Wilson, formerly sutler at Fort Riley, driven from there for disloyalty. All of this is in the President's handwriting, and that is all I know about the removal of Mr. Dickey, except that the commanding officer at Fort Lincoln, General Custer, was called upon for a report, which he made, whereupon the Hon. O. J. Dickey inclosed the resignation of his brother, S. A. Dickey, which was accepted. I do not know that you have seen this advertisement, or that anybody else has seen it, but I desire to brand the whole thing as a lie. Wilson in his card speaks about a great many things of which I know nothing.

"Yours truly,
(Signed)

W. W. BELKNAP,
Secretary of War.

"An official copy respectfully furnished the commanding officer Fort Abraham Lincoln for his information."

I found, on investigation, that the tradership held by Mr. Dickey was held, as most of them are, by another person, Mr. Wilson managing the business, and Mr. Dickey being a one-third partner, and a man named Jack Morrow, on the Platte river, owning the other third. Mr. Seip then became the trader, and the prices that were charged the officers and soldiers became so exorbitant that as many as could purchase what they desired elsewhere did so, until Mr. Seip made a written complaint, and forwarded it to the Secretary of War, claiming that under the privileges which

he held as trader nobody, no officer even, had a right to buy anything elsewhere, or bring it there, but must buy everything through him. The question was carried up through my headquarters. The point came up in this way: A captain who desired to provide these articles for his men at a lower rate purchased in St. Paul some of the class of articles usually furnished by the trader, and kept them on hand, and let his men have them at cost. Mr. Seip learned of this, and made a protest to the Secretary of War. I forwarded Mr. Seip's letter, and in return, among other replies that came back, was this, calling my attention to circulars issued from the War Department prescribing the rights and privileges of traders. Referring to those circulars, it says:

"Copies of both are hereto attached. The first one contains this clause: They will be allowed the exclusive privilege of trade upon the military reserve to which they are appointed, and no other person will be allowed to trade, peddle, or sell goods, by sample or otherwise, within the limits of the reserve. That clause is plain, clear, and explicit, and means what it says.

"In the opinion of the Secretary of War, these circulars are clear enough for any to understand who desires to do so; and he has only to repeat the statement made previously many times, that any violation of either of these circulars on the part of post-traders, if reported to the Department by the post commander, as it should be, will be promptly acted upon by him.

"(Signed)

W. W. BELKNAP,

"Secretary of War.

"WAR DEPARTMENT, *December 1, 1874.*"

"Official copy respectfully furnished the commanding officer at Fort Lincoln, D. T., in answer to his endorsement of the 3d ultimo on letter of Mr. R. C. Seip, post-trader, of October 29, 1874.

"By direction of the Secretary of War:

"(Signed)

E. A. TOWNSEND,

"Adjutant General.

"A. G. OFFICE, *December 7, 1874.*"

This captain was prohibited from furnishing his men with

these articles, and was compelled to purchase from the post trader whatever the men, or himself, or his family required. Do you wish anything further?

Q. State all that you know about the matter?

A. In regard to the manner in which the post traderships were conducted, particularly that one at Fort Lincoln, attention was called to the fact, and it was a matter of common report and common information among the officers and men, that the trader had to pay a tax to outside people, but it was impossible to trace the tax until since this break in the ring; I then sent for the trader at my post and told him that he might as well confess what had been going on, because the matter was going to be made public anyhow, and although I could not prove it, that I knew that the post had been paying a heavy tax outside, and I wanted him to tell me. He then told me that they estimated their yearly profits at \$15,000, that about one-third of it was paid to Hedrick, of Iowa, and another portion of it was paid to a man named Gen. Rice, who was supposed to be an intimate friend of the Secretary of War here in Washington; and that the division of those profits was such that the trader was finally left with about \$2,500, or \$3,000, out of the \$15,000. I asked him then if he knew of any other person to whom this money was paid. He said he knew positively only, and that he paid to Rice and Hedrick, but he was always under the impression that a portion of it went to the Secretary of War.

By Mr. Robbins:

Q. He professed not to know that, however?

A. Yes, sir; said he, "I am not a voluntary witness; I shall answer whatever I am asked, but I shall not tell anything I am not asked to tell;" so I did not pursue the investigation further, thinking there might be other means by which he could be made to tell what he knows.

By the Chairman:

Q. Do you know anything further about Fort Rice, or Fort Sully?

A. A board of officers of my command were sent to Kentucky to purchase horses for the cavalry, and while there visited at the house of a man named Tomlinson—Dr. Tomlinson—and he inquired of them how this post of Fort Rice was going on; whether it was lucrative or not, and in ex-

planation he said that he had had a friend appointed by the Secretary of War, and that he was interested in the profits. That is as much as I know of that. He said, I think, that he had this man appointed because of some attention that he had paid his family. There is another matter in regard to Fort Lincoln: this sutler, Mr. Seip, who had objected to this officer purchasing things for his men, tried to impose restrictions upon the sale of stores by the Government through the commissary department. It is usual on the frontier, where the Government employs citizens, to give them the same facilities of purchasing supplies for their tables that are allowed to the officers and men. Mr. Seip learning of this objected to it, and thought that they ought to be made to purchase from him; and, among other things, threatened that if it was not stopped he would use his influence with the Secretary of War, which he claimed to be very great, to get this officer who was selling the stores into difficulty. When called to account, he made a half-way denial, but not so as to satisfy me that he had not made the statement, because the witnesses were entitled to credit. This matter impressed me so, that when the Secretary was there on a recent visit to Fort Lincoln, I thought I would call to his attention to the fact that people in that part of the country were claiming to have great influence over him in an improper way, and I remarked that the trader was trying to hold a whip over the officers' heads, by asserting that he would bring his influence to bear upon the Secretary of War. The Secretary made no satisfactory reply, but turned it off by some remark, as much as to say, "you must not believe all you hear," or something to that effect. That was last fall. He made a tour through the Territories at the time, visiting the different posts.

Q. Have you ever had any conversation with Orville Grant, or his partner, Bonaffon, with regard to their interest in military and Indian traderships?

A. Yes, sir; I have had several conversations with Mr. Bonaffon and with Mr. Grant.

Q. Be kind enough to state what they were in the habit of telling you about it.

A. The first time I met them I was traveling from St. Paul to my post, Fort Abraham Lincoln, four or five or six hundred miles, and Mr. Bonaffon and Mr. Grant were on the same train, and as they desired to travel from Fort Lin-

coln by wagon or other similar conveyance, and about the only means of conveyance were those in possession of the military, they explained to me that they were then on a visit to certain Indian trading posts, in which they were interested; (they mentioned the posts, four or five in number. I don't know that I can state them accurately, but Fort Belknap, Fort Peck, Fort Berthold, and Standing Rock I think were the four posts they named,) and Mr. Grant asked me if I would furnish him an ambulance to make the trip. Mr. Bonaffon explained that he and Mr. Grant were about to take possession of these posts, and were going up to overhaul the stock, and see what was wanted, and he asked me if I could recommend some young man, who was familiar with Indian habits, whom they could employ, and I did recommend one. Mr. Bonaffon gave me to understand that he was equally interested with Orville Grant in these four places that they named. I think, at that time, there were other persons occupying the traderships, and they were going to effect the transfer. I have mentioned Fort Berthold, probably, as one of those posts, but when Mr. Grant got back to Bismarek he found there was some difficulty about his retaining or controlling the post himself. At any rate, he telegraphed to Mr. Delano that one Captain Raymond must be appointed trader at Fort Berthold. Mr. Delano telegraphed back at once that the appointment would be made, and this man Raymond showed the telegram to several persons in Bismarek, and claimed that he paid Grant \$1,000 for getting the appointment for him.

Q. You say that Mr. Grant was going to make a trip up to these posts, and asked you for transportation; did you give it to him?

A. I did.

Q. Why?

A. I told him that I would not give it to him as trader, but to any member of the President's family visiting here, out of courtesy to the President of the United States, I would render any facility I could.

Q. How long were they gone on that trip?

A. About the time Mr. Grant left the post on the trip, I left also on some duty, and I am not certain how long he was absent, but it must have been several weeks, as the trip involved several hundred miles' travel.

Q. What transportation did you furnish him?

A. An ambulance, four mules and a driver.

Q. Did you furnish him provisions too.

A. No, sir. I did not furnish him any provision. I have had repeated application since from his partner Bouaffon for transportation to visit the posts, but the applications came generally when I was away from the post, and did not receive attention. I never furnished transportation, that I remember, but that one time.

Q. You say that Mr. Bonaffon made the same request, but that you not being at home, it was not granted; this, then, was the only occasion of transportation?

A. Yes.

Q. Did Orville Grant ever show you any authority from the President or the Secretary of War for going up there to take possession of those posts?

A. No, sir; he never showed me anything. He told me that he had authority; but I did not care whether he had or not, and never inquired for it.

Q. Do you know anything about the extension of this great Sioux reservation across the east bank of the Missouri river?

A. Yes, sir.

Q. That was done by the proclamation of the President in January last year, and by another proclamation in April?

A. Yes, sir.

Q. What was the effect of that proclamation upon the value of traderships along that river?

A. It greatly enhanced the value by making them a more perfect monopoly by removing all opposition and rivalry.

Q. Did it dispossess any people who had acquired title to lands there?

A. I cannot say that it dispossessed people who had acquired title, because I am not sufficiently familiar with the legality of their title, but I know that it dispossessed people who claimed that they had title, and who, no doubt, but for this would eventually have acquired title.

Q. Do you know Lower Brule city?

A. I know Brule agency.

Q. There was a town laid out there called Lower Brule city. The people are applying for a large amount of damages by reason of the fact that this order destroyed all business there, and prevented trading being opened; do you know anything about that?

A. No, sir.

Q. Were you or any of your subordinates ever called upon to turn out an Indian woman who traded there in opposition to Orville Grant and Bonaffon?

A. Yes, sir: Mrs. Galpin.

Q. Please state under what circumstances?

A. An application came to me from the Indian agency at Standing Rock for troops to close up and remove the store kept by Mrs. Galpin, a full-blood Sioux squaw, who was engaged in trading with the Indians, and I declined to grant the request.

Q. Were any efforts other than that made to remove her?

A. The agent and trader made every effort that they could, without resorting to force, so far as I know; and I imagine that they were deterred from effecting their purpose by force only because all the Indians desired her as a trader, and they were afraid of encountering their hostility.

Q. Please state in general terms what you believe to have been the effect of this law of June, 1870, giving the appointment of post traders to the Secretary of War; what has been its effect upon the condition of the officers and men and on the *morale* of the troops and army?

A. Well, I don't believe it has affected the *morale* of the troops or the officers. I am very glad to be able to say that, too. I don't believe that it has affected them in the slightest degree. I have investigated this matter very thoroughly, and I am unable to connect in the slightest degree any officer or soldier with it. The effect has been to greatly embarrass them and add to the inconveniences of frontier life, which, even under the most favorable circumstances, are very great, as the troops and officers are required to pay what he considered in the States exorbitant prices for everything, owing to the immense distances goods have to be transported. That is the case always, but this law placing the appointments in the hands of the Secretary of War, and then being used in the manner he has used it, by placing the appointments in the hands of a certain ring and taxing the profits in this way, by these exactions, all of which had to come out of the pockets of the soldiers and officers, has as I have said before, greatly increased the expense and inconveniences of living on the frontier.

Q. The old system was to have a sutler or sutlers, appointed by a council of administration?

A. Yes, sir; the three senior officers at the post, except the commanding officer, constituted a council of administration. They nominated a man for the position of sutler, and that nomination was approved by the commanding officer of the post, and then by the department commander; and that constituted the appointment, and in that way it would be impossible for operations like these to be carried on.

Q. And then, if the man selected was exorbitant in his charges they had a right to give license to another, so as to bring him to reason?

A. Yes, sir.

Q. Under the present law they have no such control over the trader?

A. No, sir. Not only that, but if known to purchase elsewhere what we required for our own table we have been called to account. I have known the post-trader at Fort Lincoln to go out and stop an officer's wagon, driven by his servant, and inspect the wagon to see what was in it, and threatening to use his influence with the Secretary of War, because we traded with a town five miles distant, where we got things at about half his prices.

Q. Were those facts ever reported by you in any way to the Secretary of War?

A. No, sir; they were not, because I was just as suspicious of the Secretary as I was of the sutler.

Q. Had you any doubt that the sutler would have had influence to have himself sustained in his exactions?

A. No, sir, I had no doubt. You asked me if I ever reported these things to the Secretary of War. I did report about this officer I have mentioned. I considered that a test case, and I saw then that the Secretary of War was going to stand by the sutlers.

Q. And he did stand by them?

A. He stood by them as long as he could.

Q. Where does this Mr. Seip come from?

A. He claims to have come from Baltimore.

Q. Had you ever known him before he was appointed there?

A. No, sir; and I do not want to know him again.

Q. Is he there now?

A. He will be here to-morrow or next day, and he will tell you the whole story.

Q. He said that he divided with Hedrick and Rice?

A. Yes, sir; and he said that after dividing profits, \$15,000 a year, he never had more than \$2,500 or \$3,000 left, and he was getting tired of it.

Q. Do you know of any other posts at which the money was divided with anybody?

A. I do not know it so directly as in this case, because I brought this man up into my room, and he told me, but I know it well enough to satisfy me.

Q. State your belief generally.

A. I believe the Fort Buford probably pays as large a tax, or nearly as large, as Fort Abraham Lincoln; that is one of the largest posts in the Northwest.

Q. Do you know whom that is paid to?

A. I think Hedrick has a share of that; Leighton is the trader.

Q. Do you know of any other person than Hedrick who is interested in that?

A. No, sir; but we always regarded the Secretary of War as a silent partner in all these transactions.

Q. Do you know of the Secretary of War being engaged in any other transactions by which public money has been spent without authority or law?

A. It may be because I am not informed in regard to the law that I think so, but I heard an artist in New York speak of the Secretary paying several hundred dollars a piece for several oil portraits of different persons, and I knew that he was paying it out of Government money, and I had never read the law authorizing the procurement of these portraits in that way?

Q. Do you know whose portraits they were?

A. I was under the impression that one of them was his own; I am not certain as to the other; the artist spoke of "prominent officials," and I got the impression that one of them was the Secretary's own portrait.

Q. Who was the artist?

A. Huntington is the artist's name; I do not know his initials.

Q. Do you know what the portraits cost a piece?

A. He said that the Secretary had given him so much work that he had put down the price. The way the conver-

sation came about was this : I had gone around to see him in regard to some work I was going to have done myself, and I spoke about what a portrait of that kind would be worth, and he mentioned that he had done a good deal of that kind of work for the Secretary of War, but had charged him less because he had given him a good deal of work ; I think, mentioned \$500 a piece as the price charged the Secretary of War.

By Mr. Robbins :

Q. Do you know how many ?

A. He said "several."

Q. With whom did the Secretary of War stay when he was on this visit to your post ?

A. Well, sir, he did not stay with anybody.

Q. How long was he there ?

A. He was there but a few hours. He came down the river, and I knew of his coming and gave him such attention as his official position required, a salute was fired, but my knowledge of his transactions, and my opinion of them was such that I did not meet him at the edge of the reservation as was customary : I staid at my door and waited till he came, and transacted what business I had to transact with him, and he went away.

Q. Who did meet him ?

A. I did not. Mr. Seip, the day before, sent me a note saying that he understood that the Secretary of War was about to visit the post, and he thought I would like to entertain him, and he sent up three baskets of wine, and I sent back the wine, with a note stating that I did not drink wine myself, and in any event I did not propose to entertain the Secretary of War with wine, so I returned it.

Q. Then you did not entertain him ?

A. No, sir, I did not, except as I was required in an official way.

Q. Was he entertained by any one at the fort ?

A. No, sir.

Q. Did Mr. Dickey ever tell you that he or his partner, Wilson ever divided their money ?

A. No, sir : on the contrary he told me that that was the reason that he was removed. Mr. Dickey gave me to understand that he was removed because they did not divide ; he was among the first to call my attention to this matter.

When there was a rumor that he was to be removed he said to me, "I don't know whether you know it or not, but there is not a post on this river that does not pay a tax except ours, and we don't pay simply because my brother is chairman of the Military Committee.

Q. Then his brother went out of Congress?

A. His brother went out of Congress and he went out of the suttlership.

By Mr. Robbins:

Q. Did he tell you whether he had a proposition to divide?

A. No, he did not tell me that. I don't believe there was any proposition made to him, because he gave me to understand that his place was wanted for other people and he would have to get out.

By the Chairman:

Q. And he held it as long as his brother was chairman of the Military Committee?

A. Yes; and did not have to pay any tax.

Q. He was appointed April, 1872, and he held it until May 24, 1874—that is the time Mr. Dickey went out of Congress?

A. He was the first one to assure me positively that every post on that river paid a tax except his own. I was satisfied that the Secretary of War's desire to get him out was not for the reasons stated in his letter to me in regard to the alleged violation of revenue laws and the disloyalty of Bob Wilson.

Q. Because you had investigated those charges and made a report that there was no foundation for them?

A. I made report that so far as Mr. Wilson's loyalty was concerned he was all right, and I was unable to find that Dickey had violated the revenue laws. I put it into the hands of the revenue officers and they investigated very thoroughly.

Q. Was this Wilson a relative of Senator Wilson?

A. No, sir; no relation. I did mention, however, in my report, that I considered Mr. Dickey an unfit person to hold a tradership. He drank a good deal, and he was very kind-hearted and obliging, and he exercised a bad influence over young officers; that was my objection to him. But I

know that was not the ground upon which he was removed, because other traders with the same faults held their places.

Q. Is Mr. Seip a man of good moral character?

A. Well, sir, I would hate to testify to the moral character of any post trader in these times.

Q. Was he a great improvement in that respect on Mr. Dickey?

A. No, sir. I think I could make the same objection to Mr. Seip as to Mr. Dickey in regard to drinking.

Q. And he came to you there a stranger?

A. Yes, sir. I had never seen him or heard of him.

Q. What is Mr. Wilson. Is he a reputable man?

A. He is considered a reputable man, and he is very popular with officers. He has been connected with the army a great many years, and most of the officers of the army know him.

Q. The allegation is that that order extending the Great Sionx reservation was made by the President of the United States out of care for the welfare of the Indians there, so as to prevent them from having unlimited supplies of rum. I wish you to state whether in your judgment that order accomplished that design?

A. No sir; I don't believe the Indians got one drink less by the extension of the reservation.

Q. Do you believe that that was the real object of issuing that order?

A. Well, I would rather not answer that question.

Q. The effect of it was, however, in addition to improving the morals of the Indians, to improve the profits of the traders, was it not?

A. I think the profits of the traders left the morals of the Indians a long ways behind. That was the general impression along the river, that the order was for the benefit of the traders.

Q. Do you know of any persons having been sent off the reservations who tried to deal there, so as to prevent any interference with the privileges of Orville Grant and Bonaffon?

A. There was a case further up the river, in which I think a man named Tom Thum was removed on those grounds, and also, I think the reservation was enlarged at a point up the river for the same purpose.

Q. What reservation is that?

A. It is the reservation on which Fort Peck is situated.

Q. That was extended to prevent opposition?

A. That is my impression, although I do not know it, and the current story there is that Thum was about to be removed, and his privileges as a trader entirely taken away, and he obtained some affidavits showing that there were some frauds in the Indian Department, in which Leighton brothers and Orvil Grant were mixed up, and he showed them the affidavits and they allowed him to continue his trade.

Q. What were the alleged frauds?

A. It was something in connection with furnishing a certain amount of corn to the Indians at one of the agencies, and the same amount of corn was used to go through a certain form at one place, and get a receipt, and then the corn would be carried along and delivered at another place. I had a case of it at my post. There were about 8,000 bushels of corn delivered at my post, in Indian sacks, and I sent down and notified the trader that I would not receive them. They were marked "Indian Department," and I notified my quartermaster not to have anything to do with the corn.

Q. Explain how that fraud was attempted?

A. Well, for instance, suppose that the contractor who furnishes forage to the military authorities at Fort Abraham Lincoln should have a contract to furnish at the Indian post, several hundred miles up the river. He puts the forage in sacks. It is to be inspected at a certain point down the river by Indian inspectors; they inspect it, and report the contractor has started with so much corn for such an agency, and it must be marked with the Indian brand. Now, if the contractor can make an arrangement with the Indian agency where he is going to deliver it that that amount has been delivered, he can take the corn, and go where he pleases with it. This man happened to bring the corn to my post. He brought 8,000 bushels there in Indian sacks, which showed inspection by the Indian inspectors, and I declined to receive it, and it was reported to Department headquarters, and the matter was carried clear to Washington, and an order came back from the Secretary of War that the forage must be received.

By the Chairman: Although you were satisfied that it belonged to the Indian Department, and had been sold to them?

A. Well, I was satisfied that it was a very suspicious circumstance, to say the least of it, and it opened the way for frauds. To show you how the Indian traders and army traders are all mixed up, the contractor for this corn that was delivered at my place got Mr. Seip, the post-trader, to act as his agent to receive it. Seip stood by to see that it was weighed. They had some difficulty, and one of the clerks from my post went to St. Louis to look over the papers, and he saw the bill sent by Mr. Seip to this contractor, and found an item of \$50 paid the sergeant who weighed the corn. Now, Government pays the sergeant, and the only inference we could draw was that the sergeant was paid for making false weights. We had it all weighed over again, and every sack that had been under the sergeant's supervision fell short twelve to fifteen pounds.

Q. You refused to receive this corn because it was paid for as Indian supplies?

A. It would not have been marked as such without it had been paid for. I never knew of such case.

Q. Then you reported these facts to the War Department?

A. No, sir; I reported to General Terry, he reported to General Sheridan, General Sheridan to General Sherman, and then the matter was sent to the Secretary of War, and there came back an order through the regular channels to receive it.

Q. You got that order, and then you did pay for the corn?

A. Yes, sir.

Q. Have you any doubt that that corn was paid for twice by the Government?

A. I believe that it was paid for twice, but I cannot prove it any better than I have told you, because when they gave me the order to receive it I considered I was relieved from all responsibility in the matter.

Q. About what time did you bring these facts to the notice of the War Department?

A. This is a matter of record; according to my memory, I should say it was in the month of September last.

Q. What was the name of the contractor who was to supply you with this corn?

A. I cannot give you the name; he never appears at the post. He does his business through an agent. Mr. Seip

acted as his agent on this occasion. I think he lives at Sioux City.

Q. Do you know whether he was the same contractor that had a contract to supply the Indian agencies?

A. Yes, sir; I know he had, and I know that the same boat that brought supplies to me went on up the river to the Indian agencies. Speaking of Indian supplies, I have known boats passing up the river to trade off Indian flour to citizens along the river.

Q. You said that that corn was inspected; I understood you to mean that it was branded?

A. Well, I considered the brand as an evidence of inspection.

Q. Whom was this particular lot branded by?

A. That I cannot tell; "U. S. Ind. Dep." was the mark.

Q. Was every bag branded in that way?

A. Yes, sir; every bag.

Q. Could that mark have got there by accident?

A. Oh, no; they did not claim it was by accident, because they could not explain it any such way.

Q. How did they explain it, or attempt to explain it?

A. They explained that they had not calculated just the right amount for the Indians, and they had made a mistake of 8,000 bushels at one agency.

Q. How many Indians were there at that agency?

A. But there was no such number that that could occur.

Q. They did not want 8,000 bushels of corn for their support?

A. No, sir; or, at least, they did not want such an amount that a man could make a mistake of 8,000 bushels.

By Mr. Robbins:

Q. Do you know who was the Indian agent who must have been in complicity with that fraud?

A. No, sir; I cannot state the name; he was the agent at Fort Peck.

By the Chairman:

Q. If you know of any other transactions of that kind state them.

A. At the town of Bismarck, opposite Fort Lincoln, a steamer passing up last fall sold some flour to a man, eight sacks, and when he got it up to his house he found that the

sacks belonged to the Indian Department. That was a boat carrying supplies to the agency under a contract.

Q. Who was the owner of that boat?

A. That I cannot tell; it is very easy to ascertain.

Q. This man bought eight sacks of flour, and when he got them to his house he discovered that they were marked with the brand of the Indian Department?

A. Yes, sir; and he let the fact be known; Raymond (who received the appointment of Indian agent on payment of a thousand dollars) heard that the sacks of Indian flour were there, and had been discovered, and that there was going to be an official investigation, and he started a man in the night, on horseback, to head off this steamer, (sometimes you can beat a Missouri river steamer with a horse,) and he headed the steamer, and told them of the scrape they had got into, and they sent back and got the flour.

Q. Did the steamer go back?

A. No, sir; I guess they sent an order back; I don't recollect the way it was done exactly, but I believe that the flour was reclaimed.

Q. Do you know of any other transaction of that character?

A. Well, if I were to tell you all the transactions that have come to me as matters of rumor and belief, I would take up a great deal of your time. I believe that the Indian storehouse was burned at Fort Berthold under very suspicious circumstances. It is claimed by people who have investigated the subject that this man Raymond laid in an unusually large supply of flour in the fall; nobody could understand what he wanted of so large a stock, because there would not be a demand for it; but after navigation had closed the agency building at Fort Berthold was burned, and in order to keep the Indians from starving it was necessary to purchase in the market, and Raymond had plenty of flour on hand to sell. I know that he sold more than he probably ought to have sold. At that time I knew nothing of the circumstances; they came out afterwards; but it was yet a month till the cars or boats would run to bring any new supplies, and the citizens of Bismarck relied upon this store, and they were almost entirely out of flour, and he wrote a note to me, stating the wants of the citizens, and asking me if I would not allow him to have so many barrels of flour for temporary use, to satisfy the wants of the peo-

ple, and he would repay it with flour of equally good quality. I had no right to do it, but, thinking it an emergency calling upon my humanity, I let him take the flour, and he afterwards repaid it with flour of equally good quality, but I did not know at the time how he had gotten rid of his flour.

Q. Where these facts ever brought to any Government officer's notice that you know of?

A. This was a matter relating entirely to the Indian Department, and officers of the army on the frontier feel a hesitancy about calling attention to anything wrong in the Indian Department, as that department is always very jealous of any interference: but the matter was reported publicly, because there was a correspondent of the *Herald* in that country at the time who thoroughly investigated all these matters, and it was published in the *Herald*: I saw it myself.

Q. No notice was taken of it?

A. No, sir; no notice was ever taken of it. To show how the Indian Department dislikes interference by the military, I will give an instance: The Standing Rock agency is about fifty miles from my headquarters. Through some mismanagement, and, as I believe, through fraud, their store of provisions became exhausted two or three months before river navigation or railroad travel opened, and the Indians came up to me and represented their starving condition: but as it was rather a common complaint with them, I was not satisfied with their statement, but sent down to the officer at that post, who is under my command, to investigate the matter, and call upon the agent and request a written statement of how much support they had for those two months, and he replied, saying that the supply was practically exhausted, and the Indians were living on their ponies, and were in almost a starving condition. He asked me if I would not send down supplies. There was no law under which I could send supplies down; but there is a law authorizing the feeding of Indians temporarily at a military post, and I said if he would allow the Indians to come up I would issue rations to them, trusting to the Indian Department to pay them back, and in the meantime I sent a full report of the matter, which was referred by the Secretary of War to the Interior Department, in which I stated that we had an abundant supply there until the opening of navigation, and suggested that

the Military Department loan to the Indian Bureau. The Indian Bureau sent back word that they preferred to feed the Indians themselves, and they would not accept the loan, and the Indians were in a suffering condition for two months, when they could have had ample supplies by complying with my suggestion. Mr. Smith was Indian Commissioner at the time.

Q. What was the reason that they were short of supplies there for two months?

A. I imagine that somebody else got their supplies.

Q. Their sacks had gone to some other post?

A. Yes; I imagine they had gone to some other post by *miscalculation*.

Q. I asked you who was the contractor for this corn you have spoken about? Was he from St. Paul?

A. He may have been from St. Paul or Sioux City.

Q. Was not John H. Charles the man?

A. I cannot so testify, but the name appears to me to be the same.

Q. And the name of the agent at Fort Peck was Alderson, was it not?

A. I do not know anything about that.

Q. Do you know who owned that boat? Was it——

A. That I do not know.

By Mr. Robbins:

Q. Was Coulson the name?

A. There were three or four different parties implicated in that corn matter, and I cannot state any particular one.

By the Chairman:

Q. Do you know who were interested in that corn at all?

A. No, sir.

Q. Was Mr. Bonaffon in it in any way?

A. That I do not know. I only know officially that the same man who furnished the corn to the military at Fort Lincoln was the man who was interested in the contract with the Indian Department?

Q. Do you know a man named John Smith out there who was a contractor?

A. Yes.

Q. If he ever told you anything of the Secretary of War coming down the river and fixing up a treaty with Canada, or anything of that kind, tell us what it was?

A. Well, sir, I never would have thought of that if you had not mentioned it. There is a great deal of smuggling, particularly in the whisky trade across the British border there, and this man Smith informed me that one of the objects of the Secretary of War's visit to that country was to effect some arrangement, the details of which I did not interest myself in, by which the facilities for getting whisky across the border at some reduced rate, (I took so little interest in the manner that I don't remember that I have ever spoken or thought of the thing since,) but I remember that that was the statement, that the Secretary was out there to see if he could not make some arrangement by which better facilities could be provided for running liquors across the border—better facilities for the traders. It was some arrangement by which the traders at those posts along the frontier would have increased advantages. I never went into the particulars as to how those advantages were to be increased.

By Mr. Robbins :

Q. Do you know anything about the traders at Fort Peck having anything to do with that corn fraud, or was there any complicity on their part?

A. The only way there could have been fraud would have been complicity on the part of the agent. The agent would have to relieve the contractor in some way, by certifying that this corn had been delivered.

Q. I mean complicity on the part of the traders?

A. My experience has been that the traders and the agents are interested with each other very generally.

Q. That they have an understanding?

A. Yes; not only an understanding but I have known Indian chiefs, within the last four or five years, to accuse their agents in my presence, of taking their goods at night out of the Indian store-house and passing them over to the trader's house and then selling them to the Indians over the counter.

Q. You do not know positively whether such an arrangement existed at Fort Peck, or not?

A. No, sir, I do not?

Q. This 8,000 bushels corn fraud must have had the complicity of the Indian agent at Fort Peck?

A. Yes, sir, to have been successful.

Q. The report of the fact that this corn had been inspected

and shipped to him would have reached him in the regular course of business, and if these sacks did not come to him he must have known it, and of course must have been in complicity with their being carried elsewhere?

A. Yes, sir.

Q. You do not know whether the traders at Fort Peck were cognizant of that or had any hand in it?

A. No, sir; it is my impression that those affidavits that I spoke of Thum having produced, referred to a fraud of that kind and implicated the traders at Fort Peck.

Q. And he retained his position by threatening that exposure?

A. Yes, sir, that is my understanding.

Q. And Orville Grant and Bonaffon were the traders there at that time?

A. Yes, sir; however as to the dates these several traders got their places I am not positive.

Q. But you do know that Orville Grant and Bonaffon were the traders at the time these frauds took place?

A. Yes, sir.

Q. You spoke about it being a common affair to sell Indian flour off the boats along the river to citizens.

A. I do not think I said it was a common practice, I mentioned a particular instance; I intended to give the impression that it is commonly believed to be done, and I stated an instance that I and hundreds of people have knowledge of.

Q. Well, it is a common understanding that such things are done?

A. Yes, sir.

Q. How extensive that trade is you don't undertake to state?

A. No, sir; except that I think that is probably one of the causes of shortage in these supplies that I spoke of.

Q. Do you know of any instance in which the contractors who furnish these supplies own the boats on which they are carried?

A. It might be so, but I would not be likely to know it.

Q. You do not know whether this man Coulson owned the boat and was the contractor in the case in which the sacks of flour were sold?

A. If I had access to my records I could tell what boat it was and who was the man; cannot from memory.

Q. Speaking of the traders at Fort Peck, I called your attention to them, and used the names of Grant and Bonaffon a while ago; are you sure it was Grant and Bonaffon, or Grant and Leighton?

A. Leighton was a party; Bonaffon never visited Fort Peck to my knowledge; Leighton I know was a party; I have no knowledge that Mr. Bonaffon ever visited that post, but Bonaffon and Grant came there together at the time of that inspecting tour of the posts they were interested in; Bonaffon said, "we are interested," so-so, and Fort Peck was one of the posts mentioned, so he gave me the impression that that was one of the posts they were jointly interested in.

Q. Mr. Grant was interested with Leighton at the time of that corn fraud, was he?

A. That is my belief; I have no knowledge that Mr. Grant ever resided or traded at either of those agencies, and I am under the impression that he was not present there when this took place.

Q. At what point was the inspection of that corn made?

A. I am under the impression that it was inspected at Sioux City; it was at some point away down the Missouri river; I do not know who the inspector was.

By the Chairman:

Q. Have you any statements made to you in writing some time ago by traders who were ejected from posts, stating the reasons why they were ejected?

A. Yes, sir; I have a statement made to me by Mr. Robert Wilson, but I had only reached my post about a week before your summons reached me, and I was unable to place my hands upon his letter. That letter was written in the summer of 1874, and in it he called attention to the sale of traderships on the Missouri river, and said that he expected to be able to prove that Belknap made these posts articles of traffic, and that he was the most corrupt official who ever occupied high position; some expression like that occurred in the letter.

Q. Did you ever get any such statement from any person else, either verbal or written?

A. I received a statement from Captain Harmon, who was removed at Fort Rice, in which he tells me about the barter and sale, and money having been offered and passed, but I

did not impress it upon my mind, for the reason that he will be here himself, and will give all the facts. He is a reliable witness, and I suppose he is on his way here now. I know of a citizen receiving a statement from a prominent officer of the army, asking this citizen to expose the whole thing, and giving as a reason why he did not do it himself that the Secretary of War had been extremely kind to him.

Q. Do you know whether any of those statements were ever forwarded to the Secretary of War, or made known to him directly?

A. Yes, sir.

Q. Please state your knowledge on that subject?

A. I think Mr. Wilson forwarded a statement to the Secretary of War calling his attention to this condition of affairs. Then I knew by current report. I knew it before this investigation brought the report out of a statement having been forwarded from Fort Sill by General Hazen, and also by General Grierson. I do not know how it was forwarded, whether through the regular channels or not. It did not go through General Sherman's headquarters.

Q. Mr. Wilson's statement must have been forwarded in 1874, about the time that Mr. Dickey was removed?

A. Yes, sir; from the very first it has been known that this man Hedrick has been the collector.

Q. He is an internal revenue collector, is he not?

A. Yes, sir; internal and external both.

By Mr. Robbins:

Q. Was there some fraud at Bismarck in the way of making away with supplies, and did you have certain parties arrested there. If so, tell us all about that.

A. Yes, sir. It is impossible in that latitude to keep sentries on duty all night, it is too cold; and that, at times, furnishes opportunity for theft which would not occur otherwise, as men will take the risk of exposing themselves for an hour or two. We found that in that way the Government was losing a large amount of corn at Fort Lincoln, opposite Bismarck, and it was on a small scale a good deal like this post-tradership business, we could not get at it until we could get some member of the ring to tell. Finally I got one of the soldiers whom they had bribed to aid them, a man that was stationed to watch the corn. They had bribed him and paid him about half the value per sack, and

in that way they had taken off hundreds of sacks. There was no way of determining the number of sacks, but I think that the number of bushels that they took must have been up in the thousands. We traced it to Bismarck and arrested the men. Some of them were considered prominent citizens there, and they were tried before the United States commissioner and are now serving out terms in the penitentiary. That is about all there is of that.

Q. There were no officials implicated in that that you know of?

A. No, sir; just a case of ordinary theft.

By the Chairman:

Q. I want you to answer a general question. Had the Secretary of War been a man of purity of character and integrity of purpose, could these frauds continued going on?

A. They could not possibly have done so.

Q. And it was because they were shielded and protected by him that they occurred?

A. They could not possibly have been carried on to anything like the extent they were without his connivance and approval; and when you ask me how the morals and character of the army is affected, I, although belonging to the army, think that it is one of the highest commendations that could be made of the service to say that it has not been demoralized when the head has shown himself to be so unworthy.

By Mr. Robbins:

Q. I suppose that the officers and men have been greatly extorted from because of his complicity?

A. Yes, sir; and they have known it all the time. When buying any article, they have known that a portion of the money was going for improper purposes.

WASHINGTON, April 4, 1876.

George A. Custer recalled and further examined.

By the Chairman:

Q. Please explain why it is that you and other army officers have not heretofore given information with regard to

these abuses which have existed at posts under your command, and coming within your knowledge?

A. It is because of the existence, principally, of an order issued by the Secretary of War, March 15, 1873, that "no officer, either active or retired"—I am giving the words of the order—"shall directly or indirectly, without being called upon by proper authority, solicit, suggest or recommend action by members of Congress for or against military affairs. Second, all petitions to Congress by officers relative to subjects of a military character, will be forwarded through the General of the Army and the Secretary of War for their action and transmittal. Third, an officer visiting the seat of Government during a Congressional session will, upon his arrival register his name at the Adjutant General's Office as now required, and, in addition, address a letter to the Adjutant General of the army, reciting the purpose of, and time that will be embraced by, his visit, and the authority under which he is absent from his command or station. The purpose or object so recited will be the strict guide of the officer during his stay." By the terms of this order it will be seen that neither I nor any other officer could solicit, suggest, or recommend action to any Member of Congress upon any military subject, and that if I chose to visit the city I must record in the office of the Secretary of War what I came here for, and then must not speak or write upon any subject different from that which I had recorded at the office of the Secretary of War. That sealed the mouths and tied the hands of the officers of the army about as effectually as it could be done.

Q. Do you know whether this order was strictly enforced?

A. Yes, sir; officers have come here on matters entirely different, perfectly proper and legitimate, not relating to the transactions of the Secretary of War, and he has snubbed them and treated them in a very disrespectful manner, for the reason, as I imagine, that he wanted to discourage the visits of officers at Washington, where they would be likely to be brought in contact with Members of Congress. I am very glad to give this testimony, because I see some of the papers have expressed surprise that the officers of the army have not reported these matters.

Q. So, since 1873, no officer has felt himself permitted, no matter what his knowledge might be, to recommend any

measure, unless he informed the Secretary of War that he was going to so?

A. No, sir; they felt this way, that if they should report anything against the Secretary of War, of course when it reached his hands, of course he would pigeon-hole it, and he would probably pigeon hole the officer at the same time; they gave respectability to the mode of transmittal by adding the name of the General of the Army. The main point was to get it through the Secretary of War. It was a mere form to send it the General of the Army, because any paper to go the Secretary of War must necessarily go through him.

Q. The Secretary of War is the final receptacle of all communications of every kind from the officers of the army?

A. Yes, sir.

Q. Is the order still in force?

A. Yes, sir.

Q. Prior to this order, were there any regulations of this character in the army?

A. None that I know of. An officer could write to his Member of Congress as freely as any other citizens. I do not know why because he is an officer of the army he cannot approach a Member of Congress that represents the district he hails from, the same as any other citizen can. There is a preamble to that order, which purports to explain the object, but it is all humbug, because, instead of Members being annoyed by officers of the army, they are glad to meet them.

Q. Under that order, could you have replied to even your own Member of Congress, when he wrote to you for information?

A. No, sir; I should first send it to the Secretary of War. If you should write to me, and ask if I had any knowledge of a certain subject, I would have to send it to the Secretary of War, and trust to him to hand it to you.

Q. In giving your opinion even as to the government of the army and its internal economy, you would have had first submitted your communication, in reply to any inquiry of the kind, to the Secretary of War?

A. Yes, sir; before it could be transmitted to a Member of Congress.

Q. And so, under this order, it was impossible to have the army heard on any subject touching its interests?

A. Yes, sir; there has been no voice from the army since that order was issued.

Q. Would that order have bound the General of the Army himself?

A. Yes, sir.

Q. He therefore could have given no opinion upon any subject touching the army under his command?

A. Not except through the Secretary of War, unless a committee should summon him before them. If they called upon him in the ordinary way to state his views he should submit them through the Secretary of War.

Q. A disobedience of that order would have cost you your commission, would it not?

A. It would have been very apt to.

Q. How is it regarded by the army?

A. It is regarded by the army as a step to place the control of all information that officers might be in possession of, in the hands of the Secretary of War, so that nothing should get beyond him except that which he chose to transmit. And in connection with the recent developments it was about the most effectual safeguard that he could have thrown round his conduct to prevent exposure.

Q. If you had direct knowledge of malfeasance in office by him you could not, under this order, have divulged it?

A. No, sir, there was no way that I could divulge it except through the Secretary of War, and I have no idea that he would have ever transmitted any information that would have been to his prejudice.

Q. Had you ever heard of the communication which General Hazen sent to headquarters here with reference to this Fort Sill business?

A. I had heard that a communication had been sent but did not know that it was from Gen. Hazen.

Q. That was known in army circles years ago, was it not?

A. Yes, sir.

Q. Where has Gen. Hazen been stationed latterly?

A. He has been stationed at Fort Buford, in Dakota Territory, on the upper Missouri river, somewhere in the neighborhood of a thousand miles west of St. Paul.

Q. A highly civilized country?

A. Except the civilization that he takes with him, there is none whatever there.

Q. How long was he kept there?

A. He has been there several years. I do not know how long. I formerly served with General Hazen at Fort Sill. We were both there when the post was established; I remember when Evans first became trader there, and I imagine that it was about that time that General Hazen sent this communication, and then he was sent to Dakota.

Q. Is Fort Buford considered an eligible point at which to be stationed by officers of the army?

A. I have never heard of anybody applying for it.

Q. Do you know Lieutenant Pratt of the army?

A. No, sir.

Q. You don't know whether he was sent up there too?

A. I do not know, sir.

Q. General Hazen is now in Mexico on account of his health, I believe?

A. Yes, sir.

Q. Do you know what his affection is?

A. I do not; I only know that he is ill. I think his wounds trouble him.

Q. He is a meritorious officer, is he not?

A. Very. He has always rendered conspicuous services ever since he has been in the service. He is colonel of the Sixth Infantry and brevet major general.

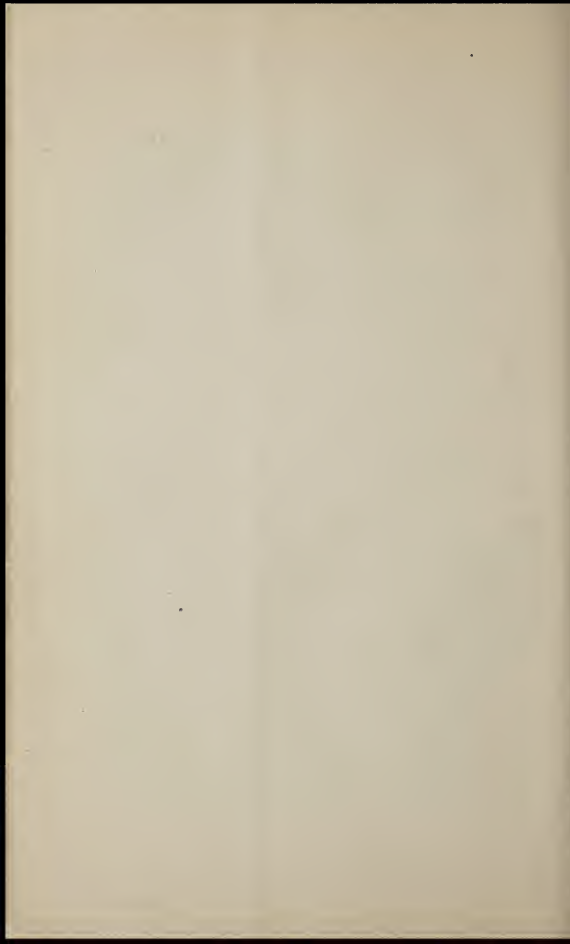
Q. How many troops had he under his command at Fort Buford?

A. Six companies with his own regiment. I heard General Sherman, in speaking of him the other day, say that he considered him one of the most meritorious officers in the service. He rendered distinguished services during the war.

Q. He has married a daughter of Washington McLean, of the Cincinnati Inquirer?

A. Yes, sir; and she represents a good deal of the civilization that he takes with him when he goes to Fort Buford.





42517 5 11
INDIAN AFFAIRS.

SPEECH

OF

HON. JOHN A. LOGAN,

OF ILLINOIS,

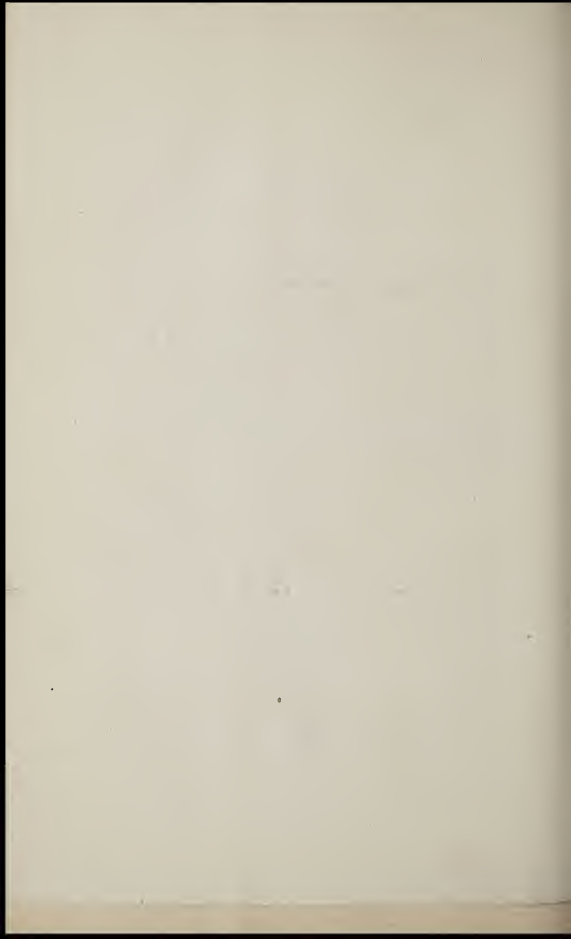
IN THE

SENATE OF THE UNITED STATES,

JUNE 20, 1876.

WASHINGTON.

1876.



SPEECH
OF
HON. JOHN A. LOGAN.

The Senate having under consideration the amendment of the Committee on Appropriations, to strike from the Indian appropriation bill the section transferring the charge of Indian affairs from the Interior to the War Department—

Mr. LOGAN said :

Mr. PRESIDENT : This question is the one referred to by the Senator from Texas [Mr. MAXEY] a short time ago as the important question presented by this bill; and although I am satisfied that the Senate is not desirous at this time of hearing any extended argument in connection with this bill, yet I deem it my duty to give my reasons why the proposition as presented by the House should not be agreed to by the Senate.

I desire to call the attention of Senators to that which has transpired in reference to changes or attempted changes from the civil departments to the War Department. I have always, since I have had a voice in the Congress of the United States, protested against the civil department of the Government going into the hands of the Military Department. I believe that they are and ought to be entirely separate and distinct; their services are of an entirely different character, and their education leads them in entirely different lines.

I find that this winter an attempt was made not only to transfer the Indian Bureau to the War Department, and that was done upon the theory of economy, but also to transfer the Pension Bureau to the War Department, and following that would come the transfer of the Land Office to the War Department. This is merely the entering-wedge for the destruction of what originally was called the Home Department, or Interior Department of this Government. In order to verify my statement so far, I have here a report made to the House of Representatives by a committee of that House not only in reference to transferring the Indian Bureau to the War Department, but also in favor of transferring the Pension Bureau to the War Department. That branch of the subject I will not discuss any further than to call the attention of the Senate to the fact. The conclusion of the report, made by Mr. JENKS, from the Committee on Invalid Pensions, is this :

It is suggested the duplicate labor performed by the finance division of the Pension Bureau and the pension agencies can be done by the Paymaster's Department of the Army with very little addition to its present force. The duplicate labors now performed by the War Department and the Surgeon-General's Office can be avoided, with all the correspondence pertaining to it, by the transfer of the Bureau of Pensions to the War Office, and greater efficiency, integrity, and intelligence can thereby be secured.

There is the attempt made by the House of Representatives this winter not only to transfer, as I said, the Indian Bureau but the

Pension Bureau to the War Department; and I have heard it suggested—I know it would follow also if this should be accomplished—to transfer the Land Office to the War Department, thereby giving the War Department in fact the administration of a great portion of the civil affairs of this country. Against that I enter my solemn protest. If I shall draw a line of economy even between the civil Department that has charge of the Indian affairs and the War Department which will not be very favorable to the War Department, in what I wish to say to the Senate in reference to the management of the affairs of the Indian Department, I now give notice to Senators who differ with me on this question, if they think I am in error in any statement that I make, it will not interfere with me one particle if they will stop me and ask me for the proof, for I have right here before me documentary evidence, commencing at the foundation of this Government down to the present time, in reference to the management of Indian affairs.

Sir, I feel compelled on behalf of the honor and good name of our Republic as a great civilizing and enlightening agency, on behalf of humanity and Christianity, to oppose the transfer of the Indian Bureau to the War Department with all the power and ability I possess. Did it involve only a question of preference between two Departments of our Government, as to which should exercise certain functions, I would not trouble the Senate with any remarks upon the subject, but content myself with simply casting my vote. Did it involve only a question of dollars and cents, I should feel far less solicitude in reference to the final result than I do.

But, sir, attempt as we may to reduce it simply to a question of economy, a thorough examination of the principles involved must show to every thinking mind that something of much greater importance to civilized humanity and enlightened nations is connected with the decision of Congress on this question.

It is true, sir, that in making laws in reference to the administration of the affairs of Government it is our duty always to consider the expense as one and an important item in making up our decision, yet it by no means follows that the plan involving the least expenditure in dollars and cents is the proper one to be selected; in fact, as a rule there are questions of still greater importance connected with all laws of a general character. In erecting our public buildings permanency and usefulness are of more importance than the saving of a few thousand dollars with the loss of these items. In providing means for the administration of our laws equity and justice are to be considered first. When our unity as a nation and the great principles of freedom were at stake, we did not even stop to consider the cost in order to know how to cast our votes. If, therefore, it should appear upon a thorough examination of this subject that important principles in reference to civilization and the efficiency of our Government as a great agent in civilizing and enlightening mankind and elevating the standard of morality are involved, surely no one in this Senate will contend for a moment that these should be sacrificed in order to save a few thousand dollars. I am in favor of economy, and would be glad to see the eyes of our people opened to the folly of the extravagance that prevails in our midst; nay, more, sir, I believe it is the duty of our legislators and public officers to set the example of prudence and economy both in their public capacity and private life. But even placing this matter on the basis of dollars and cents, the result is not in favor of the passage of this act, as I shall attempt to show before I am through.

It has been stated that the opposers of this transfer, in their great anxiety to protect and civilize the Indians, have forgotten that the right and lives of our border settlers are also involved. I am fully aware, Mr. President, that these brave and hardy pioneers who have pressed onward to the borders of civilization have rights and interests equal to, and I may say superior to, those of the Indians, which it is our duty to protect and foster; and in opposing this act I conscientiously believe I am doing this more effectually than I would be in advocating it. This I propose to bring more fully to your notice before I conclude.

Other questions of more or less importance are also involved, for it is far more complicated as regards its connection with other subjects than we are disposed to believe until we have thoroughly studied it. But, sir, the great question raised by this proposition, and the one which, in my opinion, overtops all the rest, is this: Shall we as a nation cut short our work of civilization in reference to the Indians? Shall we by our action say to the world that we abandon all hope of elevating and fitting them for that standard in life the God who made them designed them to enjoy? Shall we confess our inability as a nation, notwithstanding the vast resources at our command, to civilize a few thousand degraded wards completely under our control, and thus condemn them to extinction? Shall we, as the representatives and legislators of the great Republic of the world, a Christian nation, while singing centennial anthems of praise, decide in the most solemn and official manner possible that the God to whom we ascribe all our glory and prosperity has created other peoples only for the purpose of destruction and extinction, and that we, as a nation, are the divinely appointed agency to execute the sentence of annihilation?

Mr. President, this may appear somewhat strong language to use in reference to an act which seemingly proposes only to transfer certain duties from one Department of Government to another; yet, sir, I firmly believe I do not exaggerate the importance of the questions involved, for such I am forced to believe will be the result if the principles contained are allowed to work out fully their legitimate effects.

I will therefore present my reasons for this opinion, and address myself first to the discussion of this point as the one of first and chief importance. If the facts and reasons adduced show that I am correct in this respect, then the matter is settled with every one who has any regard for our honor as a nation, and all secondary considerations sink into insignificance.

It is evident to every one who is at all acquainted with the history of our relations with the Indians that our contact with them must result in one of two things—their civilization or extinction. No one in his senses doubts this; even the most ultra advocate of this change now before us will admit this without a single dissenting "if." As all look forward with certainty to the extinction of the buffaloes now roaming over the great plains of the West, with equal certainty do they look forward to and prophesy the extinction of the Indians unless by some means they are civilized and localized. There is no middle ground, and it is impossible there should be. Civilized and savage life cannot exist together; the former must always overcome the latter by force or example. Even if civilized, they may ultimately be absorbed into the Caucasian race, and thus at last the distinctions between the two be lost; but uncivilized, they must soon be swept from the stage of existence by the onward progress and inherent vitality of their white brethren.

This being admitted—and no one will attempt to deny it—any action on our part which indicates an abandonment of the attempt to civilize them is virtually saying to the world that we hand them over to their fate—extinction. The enlightened nations of earth and the humane portion of our own country can look upon such action on our part in no other light, and they will put no other construction upon it. The responsibility of the care, protection, and well-being of these unfortunate races is thrown upon us; no other nation, however willing they might be to do so, can or would be allowed to assume it. It is ours and cannot be shifted or avoided, and whether we desire it or not we must face this responsibility and will be held accountable by the enlightened world for the result. Why, sir, this responsibility was assumed at the time we obtained a foothold on this continent, not by action only, but was directly avowed in the early days of Plymouth Colony. Most of the early royal charters and patents issued for British North America professed, as one chief object in view, civilizing and Christianizing the Indians or infidels, as they were then termed; as for example that of James I to the Nova Scotia colony, (1621); the preamble of the Pennsylvania charter; the first royal charter of the Massachusetts Bay colony, (1628.)

This you will find in Halkett's History of the Indians. I read from pages 239 and 240:

Almost all the early royal charters and patents issued for British North America professed, among other things, the object of converting the Indians. King James I, in the Nova Scotia patent, (1621,) declared, in reference to those countries "as are either inhabited or occupied by unbelievers, whom to convert to the Christian faith is a duty of great importance to the glory of God." In the preamble to the Pennsylvania charter, during a subsequent reign, it is also stated to be a principal object "to reduce the savage natives by just and gentle manners to the love of civil society and Christian religion."

So I might read further Halkett's work on Indians, which is the best authority in this country. In reference to every charter and every beginning in this country there was a provision that the Indians should be treated with for the purpose of civilizing and Christianizing them.

When we come to the annals of our present Government we find it repeated directly or indirectly under every administration, as I will show before I get through, both by the official expression and assurances of those in authority and by the laws relating to Indian affairs. By every one they were treated in a manner showing that civilization and Christianization were the intention of our Government.

Hear, for example, the words of Washington to the Cherokee delegation, which you will find in McKinney's Wrongs and Rights, volume 2, page 131:

I am highly satisfied with the confidence you repose in me and in the United States as your friends and protectors. We shall indeed rejoice in being the instruments of the *Great Master of breath* to impart to you and to your whole nation all the happiness of which your situation will admit; to teach you to cultivate the earth and to raise your own bread as we do ours; to raise cattle; to teach your children such arts as shall be useful to them; and to lead you by degrees from one information to another in order not only to better your situation on this earth, but by enabling your minds to form a more perfect judgment of the great works of nature to lead you to a more exalted view of the Great Father of the universe. Rest, therefore, on the *United States as your security against all injury*.

That was the declaration of George Washington, the Father of his Country, to the Cherokee Nation, promising them the faith of this country to teach them to till the soil and to educate and teach them a religious life.

Mr. President, by examination you will find that this idea of civil-

izing and Christianizing the Indians is not of recent date. It is not of a few years past. It commenced with the first organization of this Government. It commenced with the first dawn of the liberty of this country, and has been followed down by every fair-minded and honest administration from the time of the organization of the Government to the present day.

Washington goes on further, and in order to show them his good faith in making this pledge he added at the conclusion :

I shall subscribe my name to this talk, which shall be written in your book in order to be preserved among you as a witness to our transactions together, and to which you may have recourse in the future.

Washington says "It shall be written; my name shall be signed to this talk; you shall have it as a guarantee for all time to come of the good faith of this Government."

The same principle was asserted by General Knox in 1789 while Secretary of War, and again and again by Presidents and Secretaries from that time to the present; by the ordinances and laws of our Government, directly or indirectly, from the ordinance of July 12, 1775, that of January 27, 1776, and the ninth article of the Confederation of 1777 down to this time; and, as President Polk in his message to Congress December 5, 1848, solemnly declares, this has always been the policy of the United States.

For the truth and verification of what I say I cite you to the Reports of Committees, second session Twenty-seventh Congress, 1841-'42, volume 4, No. 854, page 96, which I have here. Also, the Reports of Committees, first session Twenty-third Congress, 1833-'34, volume 4, No. 474, page 93. Also, Executive Document, second session Thirtieth Congress, 1848-'49, volume 1, page 919. I will not detain the Senate by reading extracts, but call their attention to my statement, which they will find verified in these documents.

We cannot therefore expect now, when we have grown strong and mighty and the Indians few and comparatively weak, to avoid this responsibility or shield ourselves by flimsy excuses from the censure of the enlightened world if we are derelict in our duty in this respect.

But, sir, I am met at the very threshold of this discussion with this question: "Does transferring the care of the Indians from the Interior to the War Department necessarily indicate or imply our abandonment of the attempt to civilize them?" The question is a pertinent one; in fact it presents fairly and squarely the chief point at issue; and in reply I answer most emphatically, yes. The heart of every Christian and philanthropist which has beaten high with the hope of redemption which seemed to be dawning on these poor wretches will answer yes with a sigh of grief and sorrow. And those of other countries, who have been watching with deep interest and solicitude the progress of the present system, will affirm the decision.

If nothing more could be urged than the very name of the Department to which this bill proposes to transfer their care, it alone would be sufficient to indicate at least our abandonment of the peace policy; and to counteract and remove this belief, if even incorrect, would require much explaining and time and tend to depress and check all private efforts to ameliorate the condition of this people. Therefore, unless the reasons for the change are urgent and very important, the step would be unwise even on this account alone. Add to this the fact that the Interior Department, where this care now resides, is felt to be and in fact is the peace Department, the domestic or Home Department as it was formerly usually termed, and the contrast becomes still stronger, the opinion and belief suggested by the name of the

former become intensified. And will not all be justified in believing, despite all our protestations to the contrary, that the transfer from a peace Department to a War Department signifies a change from a peace to a war policy? Sir, it is reasonable that such should be the effect on all minds.

Mr. MAXEY. Will the Senator allow me to interrupt him?

Mr. LOGAN. Certainly.

Mr. MAXEY. I wish to understand the Senator from Illinois. I understand his position is that a transfer of this Bureau from the Interior Department to the War Department would be a transfer from a peace policy to a war policy.

Mr. LOGAN. That is what I said.

Mr. MAXEY. I wanted to understand the position.

Mr. LOGAN. I said that would be so understood by everybody, and I think I will show it before I am through. That is the way I understand it.

But even the surface indications, if I may be allowed to use a mining term, do not stop here. Why change unless the present plan is a failure? Why abandon the system which is understood to be in part at least experimental, unless unsuccessful? Will not this action of necessity indicate to the world that the experiment has been a failure? It is impossible that it should do otherwise. This must be admitted. Will we be justified in abandoning after such a short time an experiment which at the outset was understood to require a generation to test it? No matter how much we may flatter ourselves, another system may be successful. The plan now in operation was long ago suggested by Christians, philanthropists, and statesmen, and hence is entitled to a fair and thorough trial even if it were but an experiment only, which it is far from being. But not one of those noble humanitarians expected that a few short years would suffice to test the plan. I might fill page after page with quotations in proof of this assertion; but this is unnecessary, as all who are acquainted with our dealings with the Indians and the efforts to civilize them are fully aware of the fact. An abandonment, therefore, of the system must be taken either as evidence of an entire want of capacity on our part to understand the difficulties we have to contend with and the principles embraced in the effort, or, as is far more likely, that we abandon the attempt to civilize them. Unless the enlightened portion of mankind look upon us as utterly void of statesmanship, they must look upon the passage of this act as a giving up of all hope of civilizing these unfortunate races and abandoning them to the sure work of decay and extinction. This would surely be a sad comment on the work of American statesmen in the hundredth year of our existence as a Christian nation. Nevertheless it would be just.

But, sir, the world may be wrong and Galileo right. Surface indications may not be a true index of what is hid beneath. Let us therefore probe the crust and see what lies below. In other words, let us see whether this action would in fact be an abandonment of the peace policy and of the hope of civilizing the Indians. To answer this point fully in all its bearings would require a volume instead of a single speech, hence we can only glance at some of the chief items embraced, and some of the most prominent facts bearing upon it. These are to be found, first, in the spirit of our institutions, as shown by the plan of our Government, its Constitution, laws, &c.; second, in the opinions of enlightened Christians, philanthropists, and statesmen, based upon a knowledge of the Indian character and of civilized and savage life; and, third, in the experience of the past in reference to the point in controversy.

As regards the first we may safely assume as granted that one great object of our present form of government was to ameliorate the condition of mankind by affording protection to life and liberty and ample opportunity for the pursuit of happiness; and this not to a selected few, but to all who come within the pale of our authority and under our protection. As I have already shown, the Indians are expressly included as proper subjects of this humane object; it having been avowed again and again by our authorities in treaties made with them and in our statutes that one chief object of our control over them is to elevate them to that standard where they can be admitted to share in the administration of government. War (although sometimes unavoidable) and all that pertains to war, as a rule, are inimical to freedom, happiness, and moral progress; and the restraining influence of military power (although sometimes necessary) is detrimental to the progress of civilization and to all that tends to elevate and ennoble man in a moral and intellectual point of view. Hence it has always been a leading principle in the administration of our Government to have as little recourse to military control and restraint as possible. And why? Because it has been felt, not only by our wisest statesmen and best men, but by the nation at large, that military control is a hindrance to civilization and enlightened progress. Our great *Magna Charta* of liberty has always been felt to be the right of civil authority to rule and control the military; or in other words, the subserviency of military to civil authority. It is a principle lying at the very basis of our institutions that the military arm of the Government is to be used, so far as relates to internal affairs, only as an aid in executing civil authority. Nowhere in our fundamental laws or plan of organization does the idea once enter that military power shall be used as a primary means of administering justice and equity any more than it does that it should arrogate to itself legislative power. It follows, then, that it is contrary to the very spirit of our institutions to make use of the military arm as a primary means of civilizing the Indians and leading them up to the standard of citizenship. There is no more reason to assume that such an idea is embraced in the organization and fundamental laws of our Government than that emigrants who come to this country should be placed under its care until they have attained the rights of citizenship. The difficulties to be encountered in the one case may call for more frequent use of military power than the other, but this does not change the principle or justify or excuse

If adoption of a different policy. the this be true—and I see not how it can be successfully refuted—then, sir, seeking to transfer a portion of the civil administration of the Government to the Military Department is contrary to the spirit of our institutions and the fundamental principles upon which our Republic is based.

It may be said that no one expects or desires by this transfer to check the efforts to civilize the Indians; that because the aid of military power is so often necessary, we may as well place the whole matter in the hands of that Department. Without agreeing to the latter part of this proposition, which I am far from doing, let us for the moment admit it. Will even this justify us in this transfer, when the spirit of our institutions and the fundamental principles of our Government cry out against such an act? Hear the words of a venerable Christian and philanthropist who on account of his probity and knowledge of Indian history and character was commissioned by our Government to examine into their condition and make suggestions in reference to their civilization. I refer to Professor Morse, of

Massachusetts, who made an examination in 1820, and in 1822 a report to the War Department, which I hold in my hand. On page 95 of his report Professor Morse says:

The work of educating and changing the manners and habits of nearly half a million Indians as they are now situated (1822) is acknowledged to be great, arduous, and appalling. My enthusiasm on this subject does not blind me to the difficulties and obstacles which are to be overcome. *But these difficulties are not insurmountable.* The labor required is usually proportioned to the magnitude of the good to be effected as its reward. But even such obstacles and such labor, formidable as they are, intimidate and palsy not the heart and arm of the man of real courage in the cause of humanity.

I have not time to give copious extracts. You will find in this report, which is very elaborate, more information in reference to Indians than you can gather from almost any other source. It gives his travels for years among them and his association with them. This report was made to the Secretary of War at the special solicitation of the Department.

These were brave words from a brave and noble heart; words which to-day are echoed by thousands, yea, tens of thousands, of Christian and philanthropic hearts which are palpitating with fear lest Congress, by one rash act, shall blast all their hopes of elevating this out-cast race, and thus in part erase the dark stain which blots the pages of our history.

Listen to the words of General Knox, first Secretary of War. You will find the quotation that I make from General Knox in Reports of Committees, Twenty-seventh Congress, second session, 1841-'42, No. 254, page 2. I have the book here. General Knox says:

That the civilization of the Indians would be an operation of complicated difficulty, that it would require the highest knowledge of the human character and a steady perseverance in a wise system for a series of years, cannot be doubted. But to deny that under a course of favorable circumstances it could be accomplished is to suppose the human character under the influence of such stubborn habits as to be incapable of melioration or change, a supposition entirely contradicted by the progress of society from the barbarous ages to its present degree of perfection.

Sir, the difficulties in our way, the expenses necessary to be incurred, form no excuse for violating the fundamental principles of our Republic. Why, sir, it was this spirit of obedience to civil authority that relegated to civil life a vast army of conquering heroes with a speed and quietude that amazed the nations of the Old World. And to-day, while it cherishes and looks with pride upon the brave officers and soldiers of our Army as they stand as the nation's guard upon our outposts and frontiers, yet it watches with jealous eye every attempt at encroachment by military upon civil authority.

A second class of evidence which goes to show that transferring the Indian Bureau to the War Department would be an abandonment of the peace policy and an end to all hope of civilizing these wild races is to be found in the opinions of enlightened Christians, philanthropists, and statesmen based upon a knowledge of Indian character and civilized and savage life. My time will permit me to give but a hasty glance at the voluminous testimony embraced in this division of the subject. And before introducing this it is proper to state that one additional link will be necessary in order to render it directly applicable to the point at issue, but as this can be better presented after this testimony is introduced than now, I will defer it to that point in my argument.

President Monroe, in his inaugural address in 1821, uses this language:

For the territory thus ceded by each tribe some reasonable equivalent should be granted to be vested in permanent funds for the support of the civil government

over them, and for the education of their children; for their instruction in the arts of husbandry, and to provide sustenance for them until they can provide it for themselves. My earnest hope is that Congress will digest some plan *founded on these principles*, with such improvements as their wisdom may suggest, and carry it into effect as soon as it may be practicable.

President Monroe in his message at that time to the Congress of the United States laid down the very proposition that is to-day being carried out by the present Administration in administering the Indian affairs. It is well for Senators to remember that during these declarations made by these Presidents and Secretaries that I have quoted the Indian Department then was under the War Department, and it was with a desire that it should be changed from the War Department and placed upon a peace basis and a peace policy that the Presidents made these declarations for the last three-quarters of a century to the people of this country.

Washington's words to the Cherokee delegation already quoted, likewise those of Rev. Jedediah Morse, and General Knox, all agree in sentiment, looking to education, instruction in the arts of husbandry, and moral influences as the only means by which the Indians can be civilized. Mr. Halkett, an English gentleman, relative of Sir Alexander Selkirk, who traveled extensively among the Indians of British America and the United States and who had studied more thoroughly than any other man of his day all that had been said and done on this subject, after pointing out the causes of failure, gives it as his opinion that instruction in agriculture and industrial arts combined with education is the only way to accomplish this work. The same views are substantially given by Thomas L. McKinney, who was for some length of time Indian Commissioner under the War Department, and who has written some of our best works on Indian history.

But why select a few names out of the hundreds who have expressed similar views. President after President, Secretaries, Commissioners, and agents have endeavored to impress this upon the Government from the days of Washington to the present. Christian bodies and societies, especially the Moravians, who first put the plan in practice in our country, have urged the same thing. But, sir, the evidence on this point does not stop here for the Government in various Indian treaties and acts of Congress has directly or indirectly expressed the same view, as may be seen by reference to the treaties with the Creeks, August 7, 1790, and Cherokees, July 2, 1791, the acts of March 1, 1793, and March 30, 1802, and numerous acts and treaties from that time to the present. (Report of Committee, No. 474, first session Twenty-third Congress, volume 4, page 4, 1833-'34.) We may therefore take for granted as admitted in reference to the Indians, as history shows to have been true with reference to other savage nations, that instruction in the arts of husbandry and education is the primary and indispensable agency in civilization.

It was perhaps unnecessary to produce any evidence on this point, but I have presented it briefly, as it affords, as I conceive, a conclusive argument why the Indian affairs should not be turned over to the War Department.

If the slow process of instructing them in the arts of husbandry and in educating them affords the only method of civilizing them, it is apparent that the primary object for which the Indian Bureau was established is wholly incompatible with the duty of the officer and soldier. Neither husbandry nor anything that appertains to it forms any part of their education, and if they become husbandmen and teachers they are no longer officers and soldiers except in name. If they

employ others to do this work, this of itself is an admission of their incapacity for the duties required and that they have been placed in wrong hands. Why, sir, if it is admitted that the Indians can be civilized only by the means mentioned—and no one will deny it—it seems to me there are no grounds for discussion as to where this Bureau properly belongs; and placing it under the War Department can signify nothing less than an abandonment of the peace policy and a giving up of all hope of civilizing these unfortunate beings. It will not do to say we do not intend this when our actions contradict our words. A nation is judged by its actions rather than by its words, and when we say a certain course only can result in civilizing them and follow another, it is rightly presumed we intend another result.

What does our past history teach us in reference to the capacity of the War Department to accomplish this work which we have always professed to be the object of our dealings with the Indians?

This Department has had the charge and care of Indian affairs from the organization of that Department, August 7, 1789, until 1849, when the Bureau was transferred to the Interior Department by the act establishing that Department.

If the arguments which are presented in favor of this transfer have any force in them, then in the fifty years that this Department had the chief or entire control, some reasonably adequate policy ought to have been presented and some decidedly marked progress in the solution of the great problem made, radical errors ought to have been ascertained and corrected and abuses prevented. I wish Senators to bear in mind that I am not now contending that the present system is by any means perfect or without serious defects or that there are not abuses which need correction; I am simply trying to show that the history of this Bureau under the War Department affords no hope of improvement by the transfer contemplated by this bill, but the contrary.

In 1820 Mr. Calhoun, then Secretary of War, in a communication to Henry Clay, Speaker of the House, says:

Although partial advances may be made under the present system to civilize the Indians, I am of the opinion that until there is a radical change in the system any efforts which may be made must fall short of complete success.

That was the declaration of the Secretary of War, Mr. Calhoun, made to the House of Representatives, and Senators will find it in the State Papers, first session Sixteenth Congress, volume 3, No. 46, page 4, which I have here. The discussion of that question showed clearly at that time that the War Department had never advanced one step; but the Indians, if I may use such an expression, were on the "downward grade" at that time.

Here, then, is an acknowledgment from the head of that Department that in thirty years no progress had been made and no adequate system adopted.

In an elaborate and very able report made by the House Committee on Indian Affairs, May 30, 1834, (Reports of Committees, first session Twenty-third Congress, volume 4, No. 474, page 1,) it is stated that "So manifestly defective and inadequate is our present system that an immediate revision seems to be imperiously demanded." And Congress appears to have thought so too, for at that session, in pursuance of the recommendation of the committee, the act of 1834 was passed, under which the Indian Bureau was transferred from the War Department in 1849, when the Home, or Interior Department as it is now called, was established upon the recommendation of Robert J. Walker, then Secretary of the Treasury.

In regard to the Indian Department, as it was then called, the committee say further:

The present organization of this Department is of doubtful origin and authority. Its administration is *expensive, inefficient, and irresponsible.*

That is the language of a committee of the House of Representatives in 1834 in reference to the management of Indian affairs under the War Department. They say it is "expensive, inefficient, and irresponsible." Fourteen years more, and growing worse instead of better, no effective system or practical laws suggested by the Department in charge. Had there been a Home Department in existence then, does any one suppose this Bureau would have remained long where it was? It was not removed, because there was no place for it to go to.

In 1841 a Committee on Retrenchment was ordered by the House; they submitted their report May 23, 1842, in which we find the following statement in reference to the Indian Bureau:

The evidence is submitted as to the general management and present condition of Indian affairs, and it requires but little comment. It exhibits an almost total want of method and punctuality, equally unjust and injurious to the Government and to the tribes to whom we have voluntarily assumed obligations which we are not at liberty to disregard. It will be seen that the accounts of millions of expenditures have been so loosely kept as scarcely to furnish a trace or explanation of large sums, and that others have been misapplied so as to impose serious losses on the Indians and heavy responsibilities on the Government; that in some books (the only record of these accounts) no entries have been made for a period of several years; and that where entries have been made they are so imperfect that the very clerks who kept them could not state an account from them. The whole system of accounts in this Department requires revision and radical form. There has been great prodigality as to funds which should have been invested for the Indians, and the investments actually made have been in stocks of States, purchased in some instances above par, and now paid out by the Government as trustee at par, while they are worth only 25 or 30 cents on the dollar. The accounts in the Indian Bureau and in the Second Auditor's Office are very imperfect and are so kept as to facilitate the practice of irregularities with impunity. (Reports of Committees, second session Twenty-seventh Congress, 1841-42, volume 4, No. 471, page 26.)

And yet, Mr. President, we are urged now to turn this Bureau over to the War Department, in order that correct accounts may be kept and irregularities checked. We have now been following its history under this Department for fifty years, and still matters grow no better, but worse, if anything.

Now, when Senators are told "the War Department for economy," here is a report made as late as 1842 that tells you the accounts were so imperfectly kept, so loosely kept, that no reliable statement could be made from them; that the Government was liable to great losses; that the money of the Indians was invested in stocks of States at great loss. This was the management; and now we are asked to turn it over again to a Department from which it was taken because of their neglect, because of the loose manner of doing business, because of their manner of treating the Indians. We are asked as a civilized nation to take it back there. Mr. President, I ask have the Senate and House of Representatives of this country forgotten the history of Indian affairs in this country? Have they failed to examine the history of Indian affairs while it was under the War Department? Is it because they have forgotten it that they wish it to go back there again where ten times the amount of irresponsibility exists, according to every report and every history that is found to-day?

I have now been following the history of this Indian Bureau under the War Department for fifty years, and still matters grow no better, but worse all the time. I call the attention of the Senate to this fact:

Commence in 1789, when the Indians were placed under the War Department at its organization, follow the system for fifty years, and its history shows that it grew worse every day, instead of better. I defy contradiction.

Where, sir, in all these facts do we find any evidence of that rigid system and stern integrity for which this Department has been so much lauded in contrast with other Departments? As has already been said by some in this city, I will not say where, who advocated this side of the question, they want to turn it over to military men because they are honest. I am not here to assail the honesty of any man; but "I am sick and tired, and so is the country, of this eternal boast of the proverbial integrity and honesty of Army officers over other citizens." They are men of like passions as ourselves; and, while we cheerfully concede that they are our peers in honesty, integrity, and ability in their respective calling, we are unwilling to admit that they as a class are better than other men or that they are endowed by nature with or have acquired by education more versatile talents than other people have.

Reference has been made to extortions and wrongs perpetrated upon the Indians under the present system. That there are errors which need correction I will not deny; but let us refer to some of the prices paid by the Indians for articles under the old *régime*.

I call the attention of the Senate to a report which I have here, and I have copied it from the papers accompanying the report of 1834, made to the Congress of the United States already referred to. I find that at Fort Leavenworth, within easy reach of the markets, guns which cost in Saint Louis \$7 were sold to the Indians for \$30 apiece; axes costing thirty-seven and a half cents were turned over to them for \$2 apiece. A double handful of salt—for that was the way they measured it then to the Indian—costing sixty-two cents a bushel, was turned over to the Indians for \$1. Five and six gallon kettles, costing twenty-five cents per pound, sold for \$12 apiece by the War Department to the Indians. On the navigable waters of the Upper Missouri a yard of strouding, costing \$1.80, sold for \$8; a blanket costing \$3 sold for \$10; calico costing sixteen cents per yard sold for \$1; powder costing thirty cents per pound sold for \$1.50; tobacco costing from five to seven cents sold for \$1; blue strouding costing eighty cents sold for \$9, &c.

If any gentleman disputes this, I have right here the sworn evidence the bills reported to a committee of Congress in 1834, showing these facts in the face of all the honesty that is attributed to the War Department. I defy any man to show me that such robbery has ever been perpetrated on Indians in this country as was perpetrated, according to this report of 1834, by the War Department on the Indians of this country. It was robbery, sir; it was not fraud; it was open, palpable robbery.

Mr. BOGY. Will the Senator permit me one question?

Mr. LOGAN. Certainly.

Mr. BOGY. I desire to know whether the Senator means to state that the Indian Department of the War Department paid for the goods at one price and that they were turned over by the Department to the Indians at another price?

Mr. LOGAN. I do. That is just what I say, that they were sold to the Indians at these prices while under the War Department.

Mr. BOGY. I cannot understand it.

Mr. LOGAN. I will explain.

Mr. BOGY. What is that report? Who made the report?

Mr. LOGAN. I will give the Senator the report, so that he will have no trouble about it. If it was not for taking up the time of the Senate I would read the whole thing. It is in the reports of committees for the second session of the Congress of 1841-42, volume 1, No. 471, page 26, a report made by a committee who were investigating this question. The Indian Bureau then was in the War Department, and the evidence before that committee shows that these prices were paid by the lists of purchasers under the War Department, and sold to the Indians at the prices I have given. That is the report.

I do not want to take up the time of the Senate by reading from books; but, as I said in the outset, every statement I make is backed by official documents, and I will give you the page, &c., so that there shall be no trouble in finding it, and I will give you the book when I am through. I think I have searched this question up from its beginning. I have been at it a good while, and I do not propose to misstate anything.

Mr. BOGY. I have no doubt of the correctness of the Senator's statement so far as he is concerned; he should not misunderstand me; but there must be some misunderstanding somewhere, because it could not have been that the War Department obtained the goods at one price and turned them over to the Indians at another price, because the War Department at no time was authorized to trade and make a profit for the benefit of the War Department. There may have been some fraud. These may have been the prices of the Indian traders.

Mr. LOGAN. Let the Senator understand me. I do not say that the War Department turned them over for profit to the War Department. I am not saying that; but the War Department had control of the Indians; they belonged to the War Department; and if the officers of the Army had those goods bought at one price, and let them go to sutlers and traders, and allowed them to sell them at such an enormous advance, it was a fraud on the Indians, I do not care whether it was done by the Secretary of War, or by an officer, or anybody else.

Mr. BOGY. Those were the prices charged the Indians by the Indian traders.

Mr. LOGAN. Very well.

Mr. BOGY. Of course, I do not justify any such imposition, but there is a wide room and margin for explanation. I only wished it understood that these were the prices, not charged by the War Department, but charged by the Indian traders who were engaged in that business.

Mr. LOGAN. I understand that as well as the Senator. I do not care whether it was done by the Indian trader, or the Secretary of War, or whom. The War Department had the full and complete control of the whole thing. No matter whether they did it themselves or permitted it to be done by others, the responsibility is the same. I am speaking of the difference between the swindling of Indians then and the swindling of Indians now; and the man who says that Indians are defrauded to-day as they were under the War Department does not know anything about the history of the Indians of this country or their treatment.

I would ask, Mr. President, if anything under the present system has ever equalled such outrageous extortion as that to which I have called attention? It is true this was under the old trader system; but why had this not long before been corrected; why had not the War Department brought about a correction of these errors when the responsibility rested with it for the policy pursued?

But, sir, it may be claimed that the Department was not responsible for the system or agents appointed. If not, then for Heaven's sake and for the honor of our country let us place it where somebody will be responsible. If a Department in fifty years' time can bring forward no plan to correct such abuses and cure such defects, but waits and waits until outside pressure forces these things home upon Congress, it is certainly time to remodel the Department or remove the business to some other.

It may be said that improvements were introduced between that time and 1849. That is in a measure true, sir, but these improvements originated not so much from the recommendations of that Department as from external influences pressing home upon Congress these crying evils and this defective management. It may also be said that this argument, if worth anything, applies also to the present management. That there are evils which need correction, I admit. In fact the House Committee on Appropriations in their report of February 25, 1871, say:

The testimony shows irregularity, neglect, and incompetency, and in some instances a departure from the express provisions of law for the regulation of Indian expenditures and in the management of affairs in the Indian Department, but have not found evidence of fraud or corruption on the part of the Indian Commissioner.

This is true, sir, but what good would it do to another Department where it was even worse? But let us read a little further in the committee's report:

With much to criticize and condemn, arising partly from a *vicious system inherited from the past* and partly from errors of judgment in the construction of statutes passed.

So that it appears even the errors now pertaining to this Bureau are in part chargeable to a vicious system which originated while it was under the War Department.

I call attention to another thing. At this very session of Congress the House of Representatives organized a committee for the purpose of examining the Indian Bureau to find frauds and peculations and everything of the kind, and yet I ask Senators to point out in the report of that committee these frauds that are talked about before the country as having been proven. They find no such thing. You find irregularities as you will in any matter connected with Indian tribes or people far off, in transportation or something of that kind; but when you talk about wholesale frauds in the Indian Department as compared with the outrages when it was under the War Department, there is no comparison.

Another matter of experience bearing upon this point is the influence exerted by soldiers when placed in the vicinity of Indians in reference to morality, good order, and progress in civilization. Senators are doubtless aware that in 1875 a circular was issued by the board of Indian commissioners to the various agencies making inquiry on this point as well as others. The answers with few exceptions show that this influence is pernicious, and that wherever soldiers are brought in contact with the Indians the debauchery of the women and the demoralization of the men inevitably follow. But, sir, lest it be said that the judgment of these agents was warped by interest, let us look back to the time when this Bureau was under the War Department and see what was the testimony on this point then. In the report of the committee made in 1834, page 22, to which I have already alluded, they say that from the facts brought to their notice they "cannot forbear the expression of a decided opinion of the impolicy

of locating permanent military posts in the vicinity of Indian settlements."

The accompanying report of the three Indian commissioners is still stronger. They say, page 93 of the same report :

It has been found by sad experience that a large military force stationed as this is—

Speaking of a certain force there—

surrounded by Indian settlements, has a demoralizing and unhappy influence upon the Indians, and serves to counteract in a very great degree the benevolent efforts of the Government to improve their condition. It has been found impossible to restrain the intercourse between the soldiers and the Indians; and what must be the consequence of such intercourse of near one thousand men such as soldiers generally are can be easily imagined.

It cannot be said that these commissioners were influenced by any such motives as are attributed to those answering in 1875, yet they speak out in unreserved terms as to the demoralizing influence exerted by soldiers when placed in the vicinity of Indians. And the fact is, Mr. President, we all know this is true without appealing to this testimony. It is and must be the universal verdict of experience. It is unnecessary for me to take up the time of the Senate in giving the facts and reasons for this, for every Senator is familiar with them.

But, sir, there is a reason taught by experience why this transfer should not be made which, as I have said, overtops all others in importance, and that is that it means war—war, interminable war, or war until the Indians are extinct. The word comes to us again and again that the military forces have struck a blow here that will quiet a tribe for all time to come; that a lesson has been taught another which will not be forgotten, yet scarcely a year passes by until another blow and another lesson are deemed necessary. Look, sir, to the history of this Bureau under the War Department and tell me what you see there. Each alternate page is crimson with blood, while we search the record almost in vain for any signs of progress in civilization. Our libraries teem with histories of these wars, while a few short pages tell us all that was done to redeem these tribes from savage life; wars, sir, which to-day cause every American philanthropist to hang his head in shame for his country, as he well knows that by judicious management, patient and humane treatment, they might have been prevented.

Take, for example, the history of the Seminole or Florida war as written by Captain John T. Sprague. I will not take time to read it, but will give the facts as they will be found, and I will give you the pages, so that any Senator can examine my authorities and see whether I am correct or not. He was brevetted for services rendered during that conflict; he does not hesitate to admit it was brought on unnecessarily, and then proceeds to give us a volume of more than half a thousand pages of the bloody record. There is the history of the Seminole war, (exhibiting a book.) Not more than a thousand Indians existed as Seminoles, and it required half a thousand of pages in order to recount the scenes of bloodshed and murder that took place during that time. That war against a foe scarce a thousand strong cost the nation \$19,480,000, exclusive of the expenditures pertaining to the regular Army, which added make a total of \$50,000,000. It lasted for seven years. Sir, the policy adopted then, and which is ever that of military control, is coolly given at the very commencement of this work of Sprague's. He says—

The liberty allowed them (the Indians) was to be circumscribed—

I desire you to listen to this. It shows what brought about the war—

The liberty allowed them (the Indians) was to be circumscribed, and they brought to know and to feel, too, that they were *temporary occupants of the soil*; and while indulgently allowed to remain in any part of the territory, law, good order, and sobriety, and subserviency to the whites must prevail.

This, then, was carried out by the soldiery until their outrages upon them produced war. We know what the result was of their bloody war. Take the language of Drake, the historian, (book 4, page 121, chapter 18:)

Nobody could have been surprised that a war in Florida should break out if they were at all acquainted with the circumstances which caused it; nor could they have been much surprised that a hundred men in the midst of the Indian country should have been beset and slain, leaving none to carry the tidings of such disaster. Our only surprise is that the work had not been done in a more savage manner, and that only a monument of ashes of the slain had not marked the place where they fell. These things astonish us, not the war itself.

Fifty million dollars spent, fourteen hundred and fifty-six lives from the Army alone, exclusive of the marines and citizens, sacrificed in a war for which there was no justification whatever. But what was the glory gained? Ah, sir, there is the point. There was glory in that war; and what was it? On page 551 of this volume you find this:

List of officers of the United States Army and Marine Corps upon whom have been conferred brevets for services in Florida, fifty-five.

That was the glory. A war lasting seven years, costing \$50,000,000, against a thousand poor Indians down in Florida, brought about by circumscribing their rights and teaching them that they were only temporary occupants of the soil until they undertook to defend themselves, and our glory was that fifty-five officers received brevets! Rather expensive brevets, I must confess, but they got them. This is one chapter in the history of the War Department in their control of Indian affairs. Would to God it was the only one of the kind!

There is another that relates to the Saes and Foxes, another relating to the Creeks and Cherokees. And even since the Bureau has been under the Interior Department it is stated positively by the Commissioner in 1868, and so far as I have seen not refuted, "That almost all the Indian wars which have depleted the Treasury and desolated our frontiers ever since the Bureau was given to the Interior Department had their origin in the precipitated and ill-considered action of the military stationed in the Indian country." Read, sir, the record given, officially charging the Sioux war of 1852-'54, the Cheyenne wars of 1864 and 1867, the Sioux war of 1866, and others of scarcely less importance, to the imprudence and impatience of the military forces on the frontiers. And even now the war-ery is sounding around the Black Hills to protect our citizens in violating the provisions of a treaty that we have solemnly made with the Indians.

There is the war-whoop you hear to-day. On what justification? The Army marches to the Black Hills, marching there with bayonet and sword to destroy the Indian. For what purpose? For the purpose of making him behave himself? No, sir; but to protect violators of the law violating the very treaty that you in this Senate solemnly agreed to between the United States and the Sioux in reference to their peaceable possession of the Black Hills country. But we must have war. Officers will not be needed unless we have war. Doubtless ere long we shall receive news perhaps of some brilliant campaign and a splendid victory which will equal perhaps

the victories we have had in times gone by. Where does the blame lie? In the Army or in the Government?

There are some very curious things revealed by the records of military operations among the Indians. Take for example one or two of the tabulated statements copied into the report of the condition of the Indian tribes, made in 1867 by the joint special committee. The one on page 267 gives the lists and dates of stock taken by and from the Indians; and the number of officers, soldiers, citizens, and Indians killed and wounded during the year 1864 within the department of New Mexico. This table shows that on January 3 twenty mules were taken and one citizen killed and three wounded. On the 5th eleven cattle were taken. On the 6th of the same month fifty horses were taken from the Indians and forty Indians killed and thirty-five wounded; on the 11th another Indian killed; on the 12th sixty-two sheep, twenty-five horses, and one mule taken from the Indians and three Indians killed. Such is the record in full of ten days of great exploits—a number of Indians killed, very few white men, a number of horses, a number of cattle, a number of sheep, all taken from the Indians. Referring to the summing up for the year we find 4,250 sheep, 26 horses, 154 mules, and 32 cattle taken by the Indians; taken from them, 12,284 sheep, 2,472 horses, 35 mules, 31 cattle, and 18 burros—a clear gain on the part of the Government, if it received the benefit of the overplus, of 8,034 sheep, 2,446 horses, and 18 burros against a loss of 119 mules and 1 cow.

That is the statement made by the report of that Indian raid. The Indians made a terrible raid on the soldiery that year, and there were about three hundred Indians killed, and only three white people, and I believe two of them were citizens. In the great war of that year, in which we lost three persons, we captured 12,000 head of cattle more than they did. What became of them I do not know. This shows that it was a profitable business to have the Indians all the time attacking the white people. The death record shows one officer, six men, and eighteen citizens on the one side killed, and three hundred and sixty-three Indians killed on the other. Beyond all doubt, Mr. President, this exhibits alacrity and pluck on the part of the Army, but what shall we say in reference to it as a civilizing operation?

The matter of expense has been urged as one important reason why this Bureau should be transferred to the War Department. Although, as I have attempted to show, even if the arguments were sustained by the facts, this would not justify us in making the change; yet, sir, I do not believe the facts which really bear upon this point will justify us in believing the affairs will be administered more economically under that Department than under the Interior Department.

It is evident to every one who will examine the subject even superficially that a comparison of the expenses incurred in the administration of these affairs under the former with those under the latter afford no correct data by which to judge of this matter. The difference in the number of Indians under the care of the Government, the impossibility of arriving at the amount of war or Army expenses on this account, must necessarily vitiate all such general statistics to such an extent as to make them valueless in our attempt to arrive at a correct conclusion on this point. But even these, unreliable as they are, do not favor the proposed change.

Even limiting the expenses to those directly chargeable to the Bureau of Indian Affairs and comparing them with the number of Indians under the care of this Bureau at the corresponding dates, the result is still in favor of the Interior Department. But, sir, this gives us no

clew to the expenses incurred in the unnecessary wars in which we have been involved by the imprudence and unadvised action of the military forces stationed among the Indians, or by the war policy which has so repeatedly been brought into play, both before and after the change in 1849, through military influence. We may add further, as an item showing the unreliability of such statistics, that until recently all estimates of the numbers of Indians in the various tribes were as a rule purely guess-work, and not the result of actual count.

Our estimates of the comparative expenses under the two Departments must therefore be made, not upon the figures derived from past history, but upon what is now known; not upon the unworthy statistics of the past, but upon the prices and costs of the present.

It is not supposed that Army officers and soldiers will cease their military functions and duties to become agents and employés, for this is presuming that there is now a surplus of these which might be better employed than at present, which is most emphatically denied by the military authorities whenever an attempt at reduction is made. It follows, then, that no reduction in the number of agents and employés could be made under the War Department which cannot as well be made under the Interior Department, if necessary. There is, sir, no escape from this conclusion. In this respect it is therefore clear no reduction in expense could be made after the change which cannot as well be made without it. In the next place, the cost paid for articles purchased by the Indian Department—I call the attention of my friend from Missouri to this table to show the difference in the cost price of purchases by the Army and by the Indian Bureau, inasmuch as he was a little surprised at my statement a short time ago. This table is taken from an official report:

Schedule showing the cost of beef supplies purchased by the War Department and Indian Office during the years 1874 and 1875 for military posts and Indian agencies at or near the same places.

Fiscal years.	Military posts and Indian agencies.	Army cost, gross.	Indian cost, gross.	Army cost over Indian cost.	Indian cost over Army cost.
1874	Fort Hall, Idaho.....	\$5 00	\$2 85	\$2 15	.....
1875	Fort Sully, Dakota, or Cheyenne	5 00	2 40	2 60	.....
1874	agency,	3 74	2 76½	97½	.....
1875	Tularosa, New Mexico, or, South	3 80	2 30½	1 49½	.....
1874	Apache agency,	4 87	4 48	39½	.....
1874	Camp Verdi, Arizona, or Verdi	6 19½	5 00	1 19½	.....
1875	agency,	4 86½	2 69	2 17½	.....
1874	Camp Bowie, Arizona, or Chiricahua	6 19½	5 00	1 19½	.....
1875	agency,	4 86½	2 69	2 17½	.....
1874	Camp Apache, or Apache Agency..	6 19½	5 00	1 19½	.....
1875	Fort Sill, or Kiowa and Cheyenne	4 86½	2 69	2 17½	.....
1874	agencies,	*2 70½	*1 76	94½	.....
1875	Camp Robinson, or Red Cloud and	*2 06	*1 83	23	.....
1874	Spotted Tail agencies,	*3 65½	*2 65	1 00	.....
1875	Fort Randall, or Yanceton agency ..	*3 50	2 46½	1 03½	.....
1874	Camp Supply, Indian Territory.....	4 12½	2 30½	1 81½	.....
1875 .....	.....	4 00	2 46½	1 53½	.....
1874 .....	.....	3 54	1 64	1 90	.....

Schedule showing the cost of flour supplies purchased by the War Department, &c.—Continued.

FLOUR.

1874.....	{ Fort Sill, or Kiowa agency.....	{ 6 17	4 29	1 88	.....
1875.....	{	{ 5 38	4 57	81	.....
1874.....	{ Camp Robinson, or Red Cloud and	{ *6 35	5 40	95	.....
1875.....	{ Spotted Tail agencies.	{ 5 07½	4 49	58½	.....
1874.....	{	{ 3 22½	3 73	.....	50½
1875.....	{ Fort Randall, or Yaneton agency..	{ 3 22	(†)	.....	.....
1874.....	{	{ 5 55	(‡)	.....	.....
1875.....	{ Fort Wingate, or Navajo agency....	{ 5 38	7 35	.....	1 97

CORN.

1874.....	Omaha	{ 69 71 73½ 6½	{ 59
-----------	-------------	-------------------------	------	-------	-------

* Average.

† None supplied.

‡ No contract.

The excess is almost double all the way through in the cost of beef, in the cost of flour, in the cost of corn. Then if you go to transportation I have the contracts here that I can show in the matter of transportation where the difference is about the same. Where the Indian Bureau pays \$2 a hundred for transporting their goods the Army pays \$3.75, and that is the way it runs all through. When I speak of this I only do so to show that this talk of economy by placing the Bureau under the War Department is utterly without foundation in fact.

I have been speaking in reference to the difference in price for certain articles, and exhibiting a table showing the amount paid by the War Department and by the Indian Bureau. If that table is correct, how can this change bring about the reduction in expenses that it is claimed it will do? Sir, it is all a fallacy, and is made, I must believe, without thoroughly considering the matter or question of expense. While it is claimed that the Army officers are proverbially honest, it has always been admitted that all operations under military men are proverbially expensive. Add to this the expense of an exterminating war, which is almost sure to be the result if this change is made, and then you will be able to form a proper idea of what will be the effect of changing this Bureau. Why, sir, the military authorities will most assuredly understand that it indicates an abandonment of the peace policy, and that it means war; yes, sir, war to the hilt. And ere long report after report from Department officers will be pouring in asking more forces for this point and more troops for that, thereby making an increase of the Army necessary. It requires no prophet to foresee this, as it is a natural consequence attested by the history of the past. Do Senators desire such a result as this? If they do, all they have to do is to follow the House in transferring this Bureau to the War Department.

But why was this Bureau transferred from the War Department to the Interior Department? I ask Senators whom I find perhaps determined to vote for this transfer merely for a change on the idea that they may make the country believe that it is for economy, when they come to argue this question, to tell me why this Bureau

was transferred from the War Department. It was there for fifty years. Why was it done? Was it done to benefit the Indians? Was it done to benefit the Army? Why was it done? It was done to benefit the Indians first, the officers and soldiers second, then to secure the Government against outrages. It was the result of long experience and thorough deliberation on the part of great statesmen, equally as great, I think, as we find at this day.

The act of August 7, 1789, establishing the War Department, places Indian affairs under that Department. As early as 1816 Mr. Crawford, then Secretary of War, suggests that Indian affairs ought to be removed from that Department, and states briefly his reasons therefor. (American State Papers, Indian Affairs, volume 2, page 27.) If I am not mistaken, though I have not the reference at hand, Mr. Monroe, in 1825, urges the same thing. And Mr. Webster, in a speech in 1849, says that Washington and Jefferson suggested a home department, which indicates at least that they held the same view as to where this Bureau ought to go. This view was repeatedly expressed during this part of our history, which I shall not take time to refer to, but I will delay for a moment to call attention to the last communication made by Mr. Robert J. Walker before retiring from his position as Secretary of the Treasury, not only to show his opinion on the point now before us, but also to contrast his broad and statesman-like views on the Indian questions with those held by some of his pretended followers at the present day.

In his communication he remarks:

The duties now performed by the Commissioner of Indian Affairs are most numerous and important, and *must be vastly increased* with the great number of tribes scattered over Texas, Oregon, New Mexico, and California, and with the interesting progress of so many of the tribes in Christianity, knowledge, and civilization. These duties do not necessarily appertain to war, but to peace and to our domestic relations with those tribes placed by the Constitution under the charge of the Government. This most important Bureau, then, should be detached from the War Department, with which it has no necessary connection. (Executive Document, second session Thirtieth Congress, volume 2, 1848-49, No. 2, page 36.)

The mind of Robert J. Walker, in 1849, a statesman and a Secretary of the Treasury, who is regarded as a model, was drawn to see what some people cannot now see, for I have heard it asked how it is that the expenses are greater now than they were fifteen years ago. If the Senator who asked that question will read the report of Robert J. Walker he will find in that report the reason. What is it? He says our relations across the Mississippi with the Indians of Texas, Arizona, New Mexico, and all this vast country that we had acquired the year before would, of course, increase our expenses. These Indians were brought in as this country was brought in by us, and he speaks of it, and says that this Bureau has no connection necessarily with the War Department, but with the peace Department, and therefore he recommends its immediate change. I will venture the assertion that you cannot find a report made by any statesman, by any man of eminence in this country; outside of a military officer, that ever advocated the Bureau belonging to the War Department. If it can be found, I should like to see it, for I have searched in every history, in every report that I could find. I may have missed some. If I have, I hope somebody else will find it; but I fail to find that any statesman or man having charge of this Government as President or Secretary has ever recommended that this Bureau should belong to the War Department; but they have universally said it ought to be divorced or separated from the War Department, for the reason that it ought to be in the peace Department, if we intended civilization.

Mr. President, Mr. Walker did not expect the scope of Indian affairs to remain within its then even extended limits; he looked forward not only to an expansion in work, but also in expense, and in the great work of civilizing and Christianizing these unfortunate tribes. And I would to God that to-day Congress could be induced to look upon it as a great work, a work on which with proper organization and system, and with hearty interest, not only seven but ten millions might be judiciously expended annually and yet not increase our total expenditures by a single penny, but eventually stop war and bloodshed and redeem these wandering tribes from their savage state.

This recommendation of Mr. Walker, after able discussion in Congress, resulted in the formation of the Interior Department and the transfer of the Bureau of Indian Affairs thereto. It cannot, therefore, be said that this transfer was accidental or hastily done without due deliberation; it was the result of long experience and much thought on the part of the ablest statesmen whose names adorn our political history.

Has subsequent experience served to change this view, so universal before the transfer? Far from it, sir; although affairs have not been administered with the prudence and fidelity which the people had a right to demand and expect; although much remains to be corrected, and the system is yet far from being perfect, the great mass of testimony speaks loudly against such transfer as is contemplated by the House of Representatives.

In 1866 a joint committee was appointed by Congress to inquire into the condition of the Indian tribes and their treatment by the civil and military authorities. This committee made their report January 26, 1867, through Senator Doolittle to the Senate of the United States. An examination of this report, which is voluminous, shows the committee did their work thoroughly and faithfully, and that this question of transfer was thoroughly considered. The conclusion they arrived at is in these words, Mr. Doolittle speaking for the committee as chairman:

Weighing the matter and all the arguments for and against the proposed change, your committee are of the unanimous opinion that the Indian Bureau should remain where it is.

Coming close upon the heels of a long and tedious internal war, this opinion is significant.

That has been the report of every committee that has ever been formed for that purpose until two, one of this last House and one other. In 1867, but six months after the report alluded to, Congress created a board of commissioners for the purpose of establishing peace with certain hostile Indians. This commission, composed of the Indian Commissioner, one Senator, two civilians, and four generals of the Army, made report to the President January 8, 1868, in which they express themselves in reference to this point as follows:

This brings us to consider the much-mooted question whether the Bureau should belong to the civil or military Department of the Government. *To determine this properly we must first know what is to be the future treatment of the Indians. If we intend to have war with them the Bureau should go to the Secretary of War. If we intend to have peace it should be in the civil Department. In our judgment such wars are wholly unnecessary, and hoping that the Government and people will agree with us we cannot now advise the change.*

They then proceed to give briefly their reasons for this opinion, which coincide, so far as they go, with those I have advanced.

Strange as it may seem, this same committee in October, 1868, after presenting their report, met in Chicago, Senator Henderson being ab-

Number of Indians killed during the year:	{ By members of same tribe	162
	{ By hostile Indians	52
	{ By United States soldiers,	122
	{ By citizens	55
Number of white persons killed by Indians		85
Number of white persons committing crimes against Indians		149
Number of white persons punished for crimes against Indians		19

First we have the exact number of Indians, which is one very important step in the work before us; three hundred and forty-five schools upon reservations and nearly eleven thousand scholars, or 4 per cent. of the entire Indian population attending these schools. Is there no sign of progress in this? Number of church members, 21,596, or nearly 8 per cent. of all that are within our bounds. Is there not encouragement in this? No matter if their ideas of the obligations of this relation are crude, the simple fact that nearly one-twelfth of the entire Indian population has entered into this relation ought certainly make us hesitate long before placing a check upon it. Another encouraging indication is the increase of births over deaths. Although the statistics on this point appear to be defective, nevertheless they show clearly a tendency to increase under the present policy, which is one of the best possible marks of success.

A Senator awhile ago spoke of the decrease of the Indians. I call his attention to the statistics to see whether he is correct or not. There is an increase of births over deaths; and until this policy was adopted there was no such thing as an increase among the Indians. They were decreasing all the time from wars among themselves and wars with the whites; but since this policy has been adopted, within the last eight years, there is an increase of births over deaths and destruction of life among the Indians, which is an encouraging sign.

Now let us turn to the table on page 131 of the same report, giving a summary of the industrial operations. From this we ascertain that the Indians cultivated during the year 317,213 acres of land, producing nearly 2,000,000 bushels of corn, over 260,000 bushels of wheat, 346,000 bushels of potatoes, 171,000 bushels of oats, besides turnips, onions, and other vegetables and things that were necessary to their subsistence. Is there no sign of civilization in this, Mr. President? When we see such progress as this, and learn there are nearly 44,000, or 16 per cent. of the entire number, engaged in agricultural pursuits, it is worse than neglect or carelessness on our part to let this good work be checked; it is dishonor to our nation and a criminal disregard of our duty and the obligations we owe to these outcast races. Sir, when I look at these statistics, which seem to mark the dawn of a brighter day for these savage tribes, and in the light of past history contemplate the effect of the passage of this bill, I grow faint and sick at heart.

But how stands the work of civilization when the numbers are compared? Out of 275,000 there are 100,000 who, as the Commissioner informs us, may, without violence to the term, be called civilized; 52,000 who are in a semi-civilized state; while in the wilder tribes, among which the hostile members are to be found, there are less than 100,000. Thus we see that in fact about 36 per cent. of the entire number are already civilized and almost, if not quite, ready to be granted full rights of citizenship; 18 per cent. are being brought under the influence of civilization and are laying aside their wild and savage habits; while there are but 36 per cent. yet in their wild and savage state.

Will we dare say in the face of all these facts, unsatisfactory as many experiments have been when we look at the isolated efforts, that the

Indians cannot be civilized? Sir, it is too late in the day to express such an opinion as that, when the civilizing forces have already broken off from the mass more than half its bulk.

I tell Senators now there is no political reputation in this; there is no political clap-trap in proving to the country that you have no faith in civil authority. There is nothing to be gained by trying to convince the country that this must become a military despotism. The man who attempts to make himself a popular statesman by advocating military authority to rule over civil authority fails to utter the voice of the American people. Sir, I have been a soldier many years of my life, and I love the position of a soldier. I was fond of it when I belonged to the Army, but my belonging to the Army never changed my education so far as governmental affairs were concerned. I have learned from history, by my reading from my childhood, that the downfall of governments was by putting power in military hands. I have learned that republics must and can only be maintained by civil authority, not by military.

Put the Indian Department under the War Department, then the Pension Bureau next, then the Land Office next, then abolish the Interior Department next, and then you have got one-fourth of the Government under the charge of the military, and thus a long step taken toward the resumption of military authority in this country. Remember the voice of Clay and Webster, of the great statesmen in this land against the usurpations and inroads of military authority. It is a lesson that might well be learned now by men who are plunging themselves that they are becoming great statesmen. Sir, it is a lesson to be learned by the rising and future generations, for the time will never come that you will satisfy the honest people of this country by making them believe that they are not fit for civil Government. I warn now the party that undertakes this step in politics as well as in civilization and the advance of Christianity in this country; I warn the man of his future who does it, for there is not an honest Christian in this land, be he of whatever politics he may, who does not abhor the idea of military government. He believes in peaceful means in bringing about civilization, and is willing to undertake it, and do not deprive him of the opportunity.

Mr. President, I have not examined in order to see, but am inclined to believe there is one space in our Centennial display which remains unoccupied: that is an exhibit of the effect of our Indian policy during the past hundred years. There may be and doubtless are exhibits of Indian relics, implements, ornaments, trappings, &c., and there may be examples of their workmanship and evidences of their recent progress in the arts of industry; but, sir, I scarcely think we will find there a list of the tribes which once flourished on the soil we now occupy, but which have become extinct in consequence of our contact with them. I presume that we will not find exhibited there the crimson pages of our history, stained by the blood of unnecessary Indian wars. I presume, sir, we will find there no display of the treaties so solemnly made, which have been ruthlessly broken in our anxiety to obtain their lands and appropriate their possessions.

There may be antiquities to remind us of the days of William Penn, but we will scarcely find any tokens to call before us the war of the Everglades and the history of the Seminoles. Sir, I fear, nay, I should rather say I rejoice, to think this space is left vacant or filled with other things than that which belongs there properly.

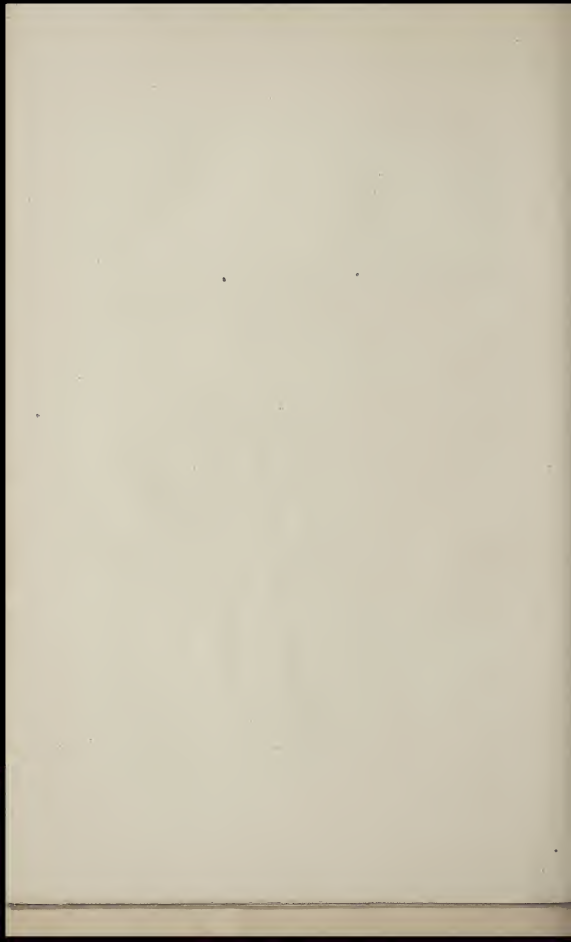
Had I the time and a list prepared I would present in array one after another the numerous tribes that once flourished over our broad

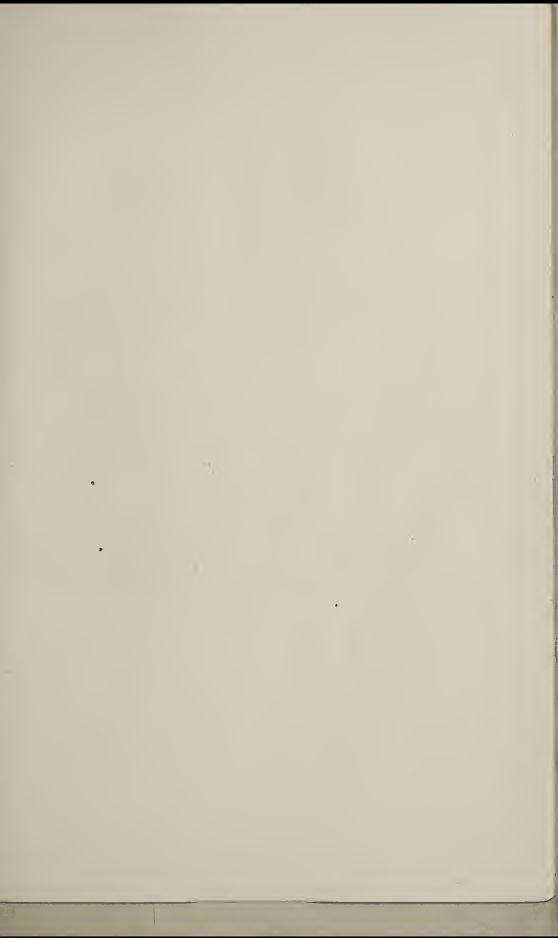
area but have silently passed into oblivion before the irresistible progress of civilization, with scarcely an effort on our part to save them from extinction. I would point you to a few miserable remnants of tribes, who once sent terror through our borders when provoked by unnecessary war and unwise action on our part. That some have met deserved fate there is no doubt; that horrid cruelties have their history cannot be denied; but, sir, it was our mission to redeem them from savage life and elevate them in the scale of being for which they were formed. And as we now stand upon the one hundredth annual round of our national existence and look down the vista of receding years can we contemplate the picture without a single pang of remorse; can we say we have been faithful to the trust reposed in us?

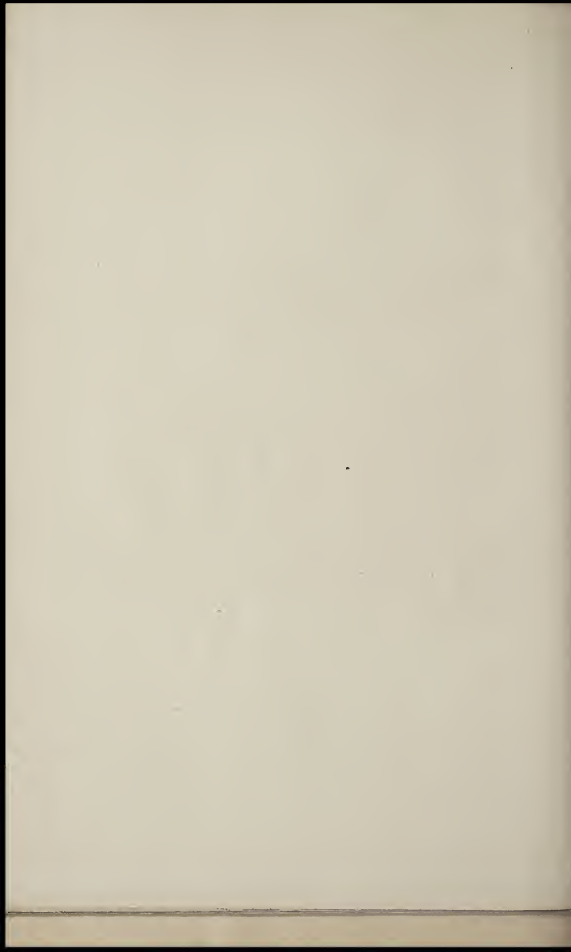
Sir, the record is made, the history is written, and, although much of it is crimsoned with unnecessary blood, it must stand; it is beyond our power now to change it; but the present and the future are not beyond recall. Let us then in this matter vindicate our right to the name "Christian nation," and let no false ideas of economy, in order to gain political capital, prevent us from doing our duty, and whole duty, as a nation to these unfortunate and degraded people.

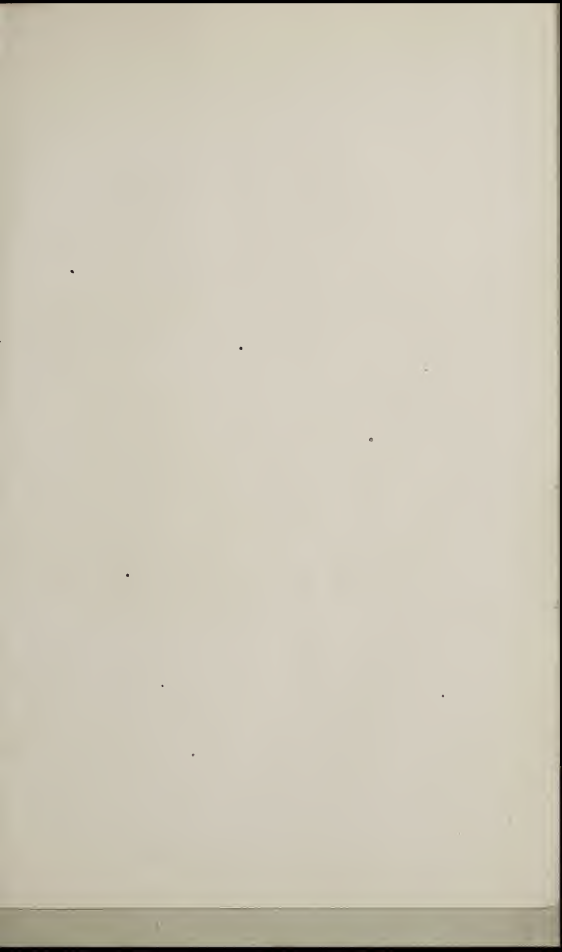
One single item in the Commissioner's last report, small as it is, is sufficient in itself to justify our outlay on this Bureau; that is, that the births exceed the deaths. It indicates that the tendency to extinction has ceased, and that by wise measures and the civilizing process the forces of decay may be checked.

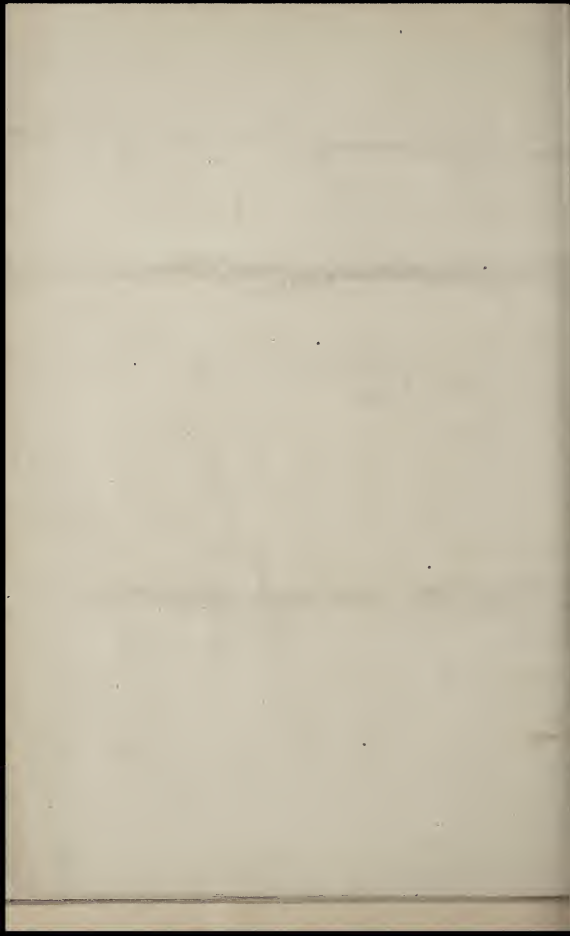
Why, sir, when I turn away from the sad picture of the past and look forward to what the future of this people may be if the policy now adopted is properly sustained and the system for accomplishing the work thoroughly and wisely revised and placed on a proper footing, I feel a deep anxiety to have my name recorded as one of the advocates and defenders of this policy. As I look forward and trace the history of the future, as the veil lifts year by year, and see one after another of the tribes gathered on suitable reservations and gradually, though slowly, learning the arts of husbandry, and the children gathered in the school-rooms and gradually acquiring an education; as I see the females, now beasts of burden, step by step acquiring their proper position in social life, it binds my heart to my country by a new tie. As I lengthen my gaze and look a little farther, I see waving fields of grain and happy homes where once roved the wild buffalo and wilder savages; the children of these once savage hordes have grown into manhood and womanhood; they have taken on them the habiliments of civilization; and now no longer is the wild war-whoop heard from ocean to ocean, no longer is there need for a military post, scout, or soldier on our borders of civilization, for we have none save the ocean bounds east and west and national bounds north and south. I catch one more glance before the vision fades, and I see these tribes, redeemed and Christianized, admitted to all the rights of civilization and citizenship, and side by side in these halls sit their representatives, and I listen in admiration while that native eloquence, now educated and trained in all the arts of elocution and oratory, thrills with admiration the attentive audience. Sir, could I link my name with a measure which will result in this end, I will feel sure that it will live and endure while the rolls and records of time endure.











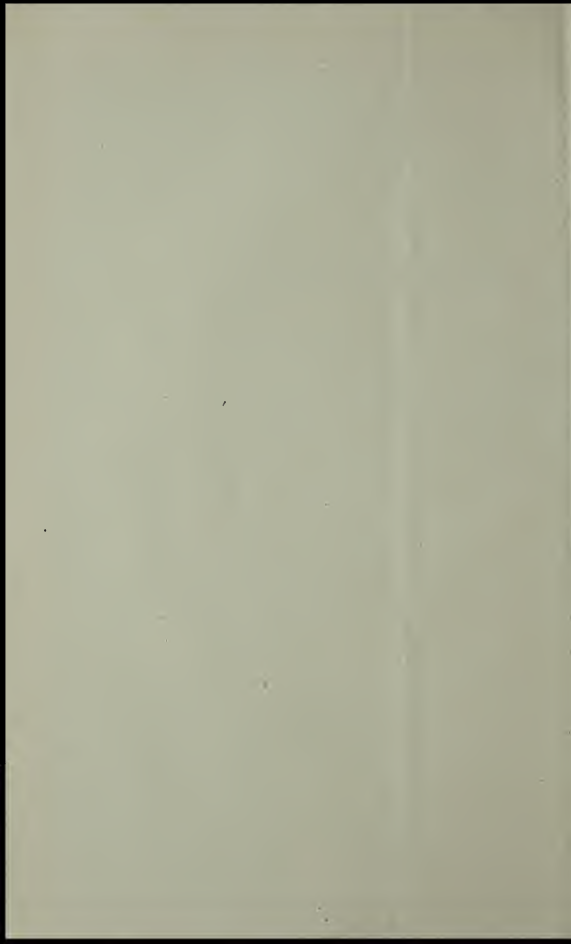
423005 6 18
LAWS AND REGULATIONS

RELATING TO

TRADE WITH INDIAN TRIBES.

OFFICE OF INDIAN AFFAIRS,
NOVEMBER 1, 1883.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1883.



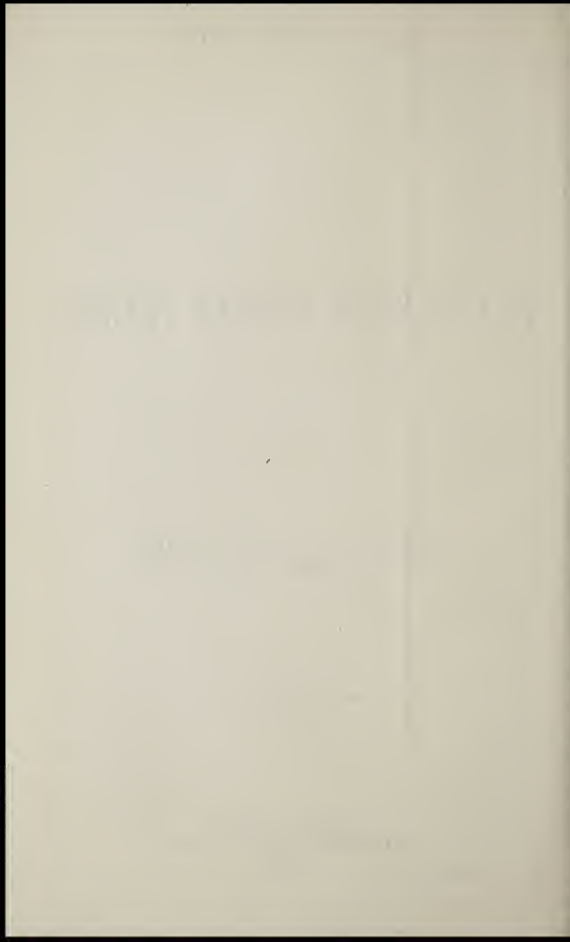
LAWS AND REGULATIONS

RELATING TO

TRADE WITH INDIAN TRIBES.

OFFICE OF INDIAN AFFAIRS,
NOVEMBER 1, 1883.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1883.



DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
November 1, 1883.

The following extracts from the laws of the United States governing trade and intercourse with the Indian tribes, and the rules and regulations adopted thereunder, are published for the information and guidance of all concerned.

H. PRICE, *Commissioner.*



LAWS RELATING TO TRADE WITH INDIAN TRIBES.

Extracts from the Revised Statutes of the United States.

SEC. 2078. No person employed in Indian affairs shall have any interest or concern in any trade with the Indians, except for, and on account of, the United States; and any person offending herein shall be liable to a penalty of five thousand dollars, and shall be removed from his office.

Persons employed in Indian affairs not to trade with the Indians.

30 June, 1834, c. 162, s. 14, v. 4, p. 738.

SEC. 2128. Any loyal person, a citizen of the United States, of good moral character, shall be permitted to trade with any Indian tribe, upon giving bond to the United States in the penal sum of not less than five nor more than ten thousand dollars, with at least two good sureties, to be approved by the superintendent of the district within which such person proposes to trade, or by the United States district judge or district attorney for the district in which the obligor resides, renewable each year, conditioned that such person will faithfully observe all laws and regulations made for the government of trade and intercourse with the Indian tribes, and in no respect violate the same.

Trading with Indians.

26 July, 1866, c. 266, s. 4, v. 14, p. 280.

SEC. 2133.* Any person other than an Indian who shall attempt to reside in the Indian country as a trader, or to introduce goods, or to trade therein without such license, shall forfeit all merchandise offered for sale to the Indians, or found in his possession, and shall moreover be liable to a penalty of five hundred dollars.

Penalty for trading without a license.

30 June, 1834, c. 161, s. 4, v. 4, p. 729.

SEC. 2135. Every person other than an Indian, who, within the Indian country, purchases or receives of any Indian, in

R. S., p. 375.
Prohibited purchases and sales.

* An act to amend section 2133 was approved July 31, 1882, so that it now reads:

30 June, 1834, c. 161, s. 7, v. 4, p. 730.

"Any person other than an Indian of the full blood who shall attempt to reside in the Indian country, or on any Indian reservation, as a trader, or to introduce goods, or to trade therein, without such license, shall forfeit all merchandise offered for sale to the Indians or found in his possession, and shall moreover be liable to a penalty of five hundred dollars: *Provided*, That this section shall not apply to any person residing among or trading with the Choctaws, Cherokees, Chickasaws, Creeks, or Seminoles, commonly called the five civilized tribes, residing in said Indian country, and belonging to the Union Agency therein: *And provided further*, That no white person shall be employed as a clerk by any Indian trader, except such as trade with said five civilized tribes, unless first licensed so to do by the Commissioner of Indian Affairs under and in conformity to regulations to be established by the Secretary of the Interior."

the way of barter, trade, or pledge, a gun, trap, or other article commonly used in hunting, any instrument of husbandry, or cooking utensils of the kind commonly obtained by the Indians in their intercourse with the white people, or any article of clothing, except skins or furs, shall be liable to a penalty of fifty dollars.

ACT making appropriations for the current and contingent expenses of the Indian Department, &c., approved August 15, 1876.

* * * * *

SEC. 5. And hereafter the Commissioner of Indian Affairs shall have the sole power and authority to appoint traders to the Indian tribes, and to make such rules and regulations as he may deem just and proper, specifying the kind and quantity of goods and the prices at which such goods shall be sold to the Indians.

RULES AND REGULATIONS PREPARED IN CONFORMITY WITH
THE PRECEDING PROVISION OF LAW AS CONTAINED IN SEC-
TION 5 OF THE ACT OF AUGUST 15, 1876.

1st. Licenses to trade with the Indians will be granted only to citizens of the United States of unexceptionable character, and who are fit persons to be in the Indian country. They will not be granted to any person who may previously have had a license which was revoked, or the forfeiture of whose bond was decreed in consequence of the violation of any of the laws or regulations, or of being an improper person to be in the Indian country.

2d. Licenses will not permit the introduction or sale, in the Indian country, of any description of wines, beer, cider, intoxicating liquor, or compound composed in part of alcohol or whisky; any uniform-clothing, other than that of the United States, nor any medals, flags, arm-bands, or other ornaments of dress bearing the figures, emblems, or devices of any foreign power; nor will they authorize any trade with a tribe or tribes with which intercourse may have been prohibited by the President of the United States, or who are engaged in hostilities.

3d. Applications for licenses must be made in writing to the Commissioner of Indian Affairs, through the United States agent in charge of the Indians with whom the trade is desired, who will IMMEDIATELY forward the same, with the date of reception by him indorsed thereon, to the office of Indian Affairs. In case of the absence of the agent, or for other satisfactory cause, the application may be made direct to the Commissioner of Indian Affairs. Therein should be set forth the full name and residence of the applicant; and, if a firm, the style thereof and the full name of each member; the place where it is proposed to carry on the trade; the amount of capital to be employed, and the names of the agents, clerks, or other persons employed in connection therewith, giving the capacity in which each is to be employed. In forwarding the application the agent will submit his views in regard to the matter, with such recommendations as to the necessity for the trade and the fitness of the applicant or applicants to be in the Indian country, as he shall deem proper for the consideration of the Commissioner of Indian Affairs. Should the agent be unable for lack of suitable opportunity for investigation to express any opinion upon the merits of any application for license, he should not for that reason delay its transmission to the Commissioner of Indian Affairs, but should forward it at once, with a statement that his views will be submitted.

4th. Satisfactory testimonials of unexceptionable character and fitness to be in the Indian country must accompany the application. No license will be granted for a longer period than one year; but, at the end of

that time, if the Commissioner of Indian Affairs be satisfied that the trade has been conducted properly, and that the laws and regulations of the Department and the terms of the license were duly observed, a new license may be granted without the formality required by the first sentence of this paragraph, and the third sentence of paragraph third, a new bond being given as provided for in paragraph eight. The application for the renewal of a license must be made at least thirty days prior to the expiration of the existing license.

5th. If, after the license shall have been granted, it be desired to employ other persons than those named therein, either to fill vacancies or otherwise, their names, the capacity in which it is proposed to employ them, and satisfactory testimonials as to character, as required in the preceding paragraph, must first be furnished, and permission in writing obtained therefor. No trade will be permitted with any other tribe or tribes at any other place or places than as specified in the license.

6th. The bond required by law to be given by the person or persons licensed that they "will faithfully observe all laws and regulations made for the government of trade and intercourse with the Indian tribes and in no respect violate the same," will be according to the annexed form, and must be in the penal sum of \$10,000. All bonds offered must be executed by the persons licensed and at least two good sureties, whose pecuniary ability must be shown by a certificate of a United States judge, commissioner, or district attorney.

7th. The principals of all trading establishments will be held responsible for the conduct and acts of the persons in their employ in the Indian country; and an infraction of any of the terms or conditions of a license, or any of the laws or regulations, by such persons, will be considered good and sufficient cause for revoking the license, in the same manner as if committed by the principals themselves.

8th. Licenses will be revoked by the Commissioner of Indian Affairs whenever, in his opinion, the person or persons licensed, or any of those in his or their employ, "shall have transgressed any of the laws or regulations made for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit them to remain in the Indian country." Any infraction of the laws or regulations, or of any of the terms and conditions of a license, with all the circumstances connected therewith, and all improper conduct on the part of traders, or any person in their employ in the Indian country, must be reported without delay by the agent of the reservation within which the same shall have occurred.

9th. All licensed traders, before any goods shall be offered for sale, shall exhibit to the United States Indian agent the original invoices of all goods intended for sale, and also the bills of lading therefor, together with the price at which each article is to be sold, and it is the duty of agents to see that the prices are in all cases fair and reasonable.

10th. All invoices of purchase, for the replenishment of the trader's stock, as well as the bills of lading for the same, must be submitted to

the agent in the same manner and for the same purpose as is provided for the original purchase of stock in section 9.

11th. No Indian agent, or other person employed in the Indian service, shall have any interest, directly or indirectly, in the business of a licensed trader, and the agent must accompany all applications for a license or for the renewal of a license with his sworn statement that he has no interest, directly or indirectly, present or prospective, in the proposed business or the profits arising therefrom, nor any person for him, and that no arrangement for any benefit to himself or other person or persons on his behalf is in contemplation in case the license shall be granted.

12th. The sale of arms and ammunition to Indians, will be allowed only by special permit, issued in accordance with regulations adopted by the Department of the Interior, as provided in section 1 of the act of Congress making appropriations for the Indian service, approved February 14, 1873.

BOND.

KNOW ALL MEN BY THESE PRESENTS, That we,¹ ———, as principal, and ———, as sureties, are held and firmly bound unto the United States of America in the sum of ten thousand dollars, lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves and each of us our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this ——— day of ———, eighteen hundred and eighty ———.

The condition of this obligation is such, that whereas the above bounden ———, as principal, hath made application to the Commissioner of Indian Affairs for a license to trade with the ——— tribe of Indians of the following-described place within the boundaries of the country occupied by the said tribe, viz:

Now, if the said application shall be granted and the said license be issued, and if the said ———, so licensed, shall faithfully conform to and observe all the laws and regulations made, or which shall be made, for the government of trade and intercourse with the Indian tribes, and in no respect violate the same, and shall trade at the aforesaid place and no other, and shall in all respects act conformably with the license granted to ———, then this obligation to be void; else to remain in full force and virtue.

———. [SEAL.]²
 ———. [SEAL.]
 ———. [SEAL.]
 ———. [SEAL.]

Signed and sealed in the presence of—

———. The foregoing bond is approved.³

INSTRUCTIONS FOR PROPERLY EXECUTING THE ACCOMPANYING BOND.

First. The bond must be dated.

Second. There must be at least two sureties.

Third. The full name of the principal and of each of his sureties must be written out in full in the body of the bond and so signed to the bond.

Fourth. There must be a seal, of wax, or wafer, or other adhesive substance, attached to each signature. The printed word "seal" or a scroll is not sufficient.

Fifth. The signature of the principal and of each of the sureties must be made in the presence of two persons, who must sign their names as witnesses; and it must appear for whom each witness signs.

Sixth. The sufficiency of sureties must be certified by a United States district judge, attorney, or commissioner for the district in which the obligor resides.

Seventh. Sureties must not be bonded officers of the United States.

Care should be taken that NO ERASURES OR MUTILATIONS OF ANY KIND be made, and, if made, all such will be stated and certified before signing.

EXECUTIVE MANSION,

November 23, 1876.

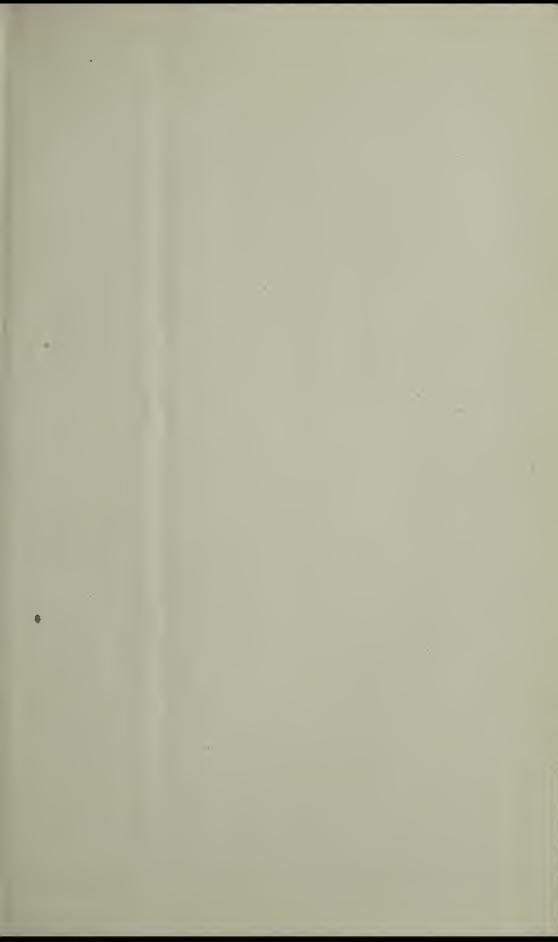
A joint resolution adopted by Congress August 5, 1876, declares that:

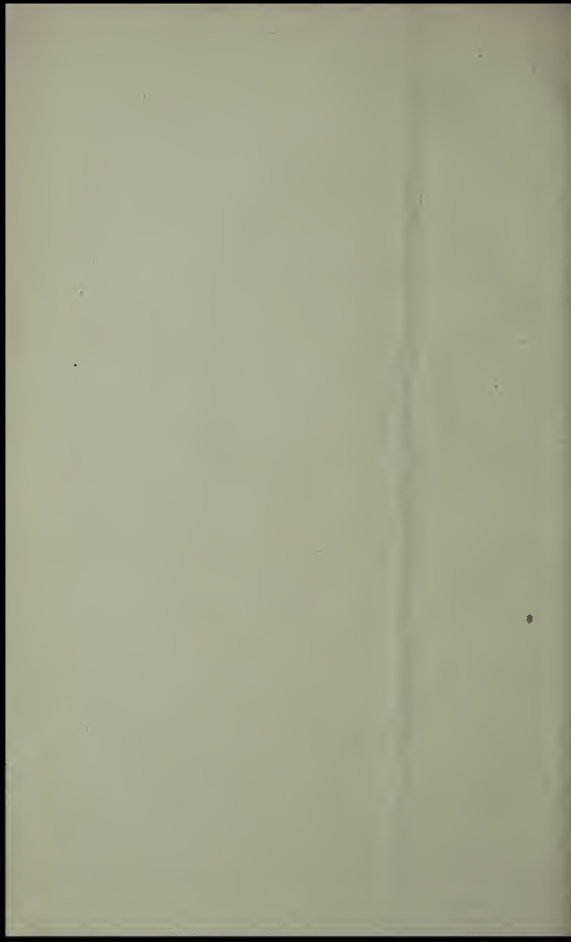
Whereas it is ascertained that the hostile Indians of the Northwest are largely equipped with arms which require special metallic cartridges, and that such special ammunition is in large part supplied to such hostile Indians, directly or indirectly, through traders and others in the Indian country: Therefore,

Resolved by the Senate and House of Representatives in Congress assembled, That the President of the United States is hereby authorized and requested to take such measures as, in his judgment, may be necessary to prevent such metallic ammunition being conveyed to such hostile Indians, and is further authorized to declare the same contraband of war in such district of country as he may designate during the continuance of hostilities.

To carry into effect the above-cited resolution, the sale of fixed ammunition or metallic cartridges by any trader or other person in any district of the Indian country occupied by hostile Indians, or over which they roam, is hereby prohibited; and all such ammunition or cartridges introduced into such country by traders or other persons, and that are liable in any way or manner, directly or indirectly, to be received by such hostile Indians, shall be deemed contraband of war, seized by any military officer and confiscated; and the district of country to which this prohibition shall apply during the continuance of hostilities is hereby designated as that which embraces all Indian country, or country occupied by Indians, or subject to their visits, lying within the Territories of Montana, Dakota, and Wyoming, and the States of Nebraska and Colorado.

U. S. GRANT.





THE ELEVENTH CENSUS

BY

HON. ROBERT P. PORTER

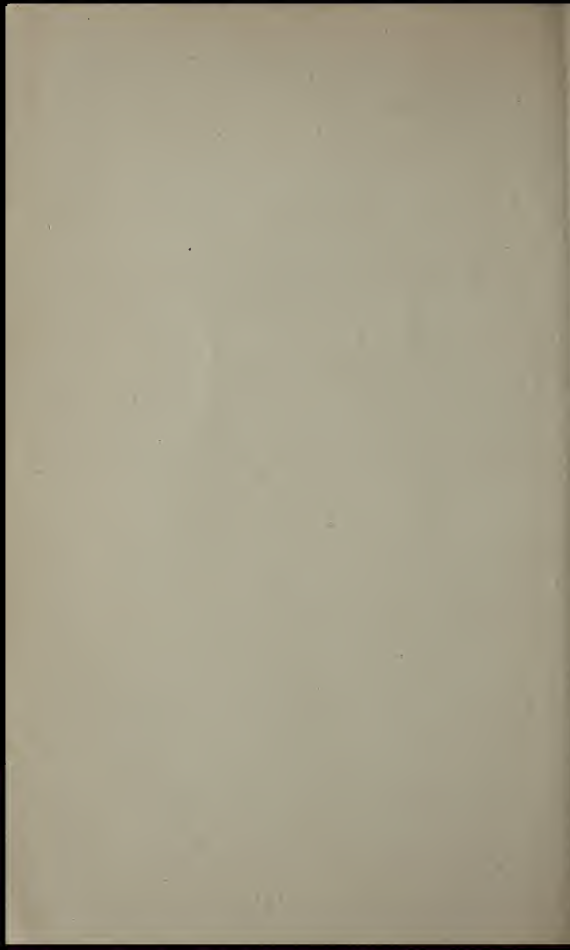
SUPERINTENDENT OF CENSUS

AN ADDRESS

DELIVERED BEFORE THE

AMERICAN STATISTICAL ASSOCIATION

BOSTON, OCT. 16, 1891



525.2
Compliments of

Robert P. Porter

THE ELEVENTH CENSUS

BY

HON. ROBERT P. PORTER

SUPERINTENDENT OF CENSUS

AN ADDRESS

DELIVERED BEFORE THE

AMERICAN STATISTICAL ASSOCIATION

BOSTON, OCT. 16, 1891

NEW YORK ENGRAVING AND PRINTING CO.

1891



THE ELEVENTH CENSUS

BY

HON. ROBERT P. PORTER

SUPERINTENDENT OF CENSUS

AN ADDRESS

DELIVERED BEFORE THE

AMERICAN STATISTICAL ASSOCIATION

BOSTON, OCT. 16, 1891

NEW YORK ENGRAVING AND PRINTING CO.

1891



THE ELEVENTH CENSUS.

AN ADDRESS.

Mr. President and Ladies and Gentlemen.

I have been invited by the American Statistical Association to prepare a paper upon the "organization, administration, and results of the present Census," and have been particularly cautioned by your honorable secretary, Mr. Dewey, not to dwell upon the "census law or past censuses," but to talk about the present census, and will endeavor to comply with this reasonable request after a few preliminary remarks on another theme.

The eleventh decennial enumeration of the people and wealth of the United States has been completed, and the nation has started on another decade of progress with the usual complaint that the increase should have been greater. The decades ending in 1890 and 1891 have been ominous ones for officials in charge of census work both at home and abroad: the Canadian Parliament trying to overthrow the government because the increase in population was only 11.66 per cent; Englishmen grumbling because the population fell a million short of anticipations; Frenchmen alarmed because the numerical strength of the Republic did not meet their expectations; and your own Superintendent pilloried by patriotic guessers because the actual count fell a couple of millions short of their estimates. Looking back to-night on the past, I see two years of the most stupendous work which taxed every iota of physical and

mental strength. Harassed on the one side by pressure for employment, and on the other by unreasoning and oftentimes ignorant and malicious criticism, importuned at all times by well-meaning specialists anxious to extend their particular inquiries without regard to other work, together with the labor and vexation that attend the placing and handling of sixty thousand persons (for that number took part in one form or another in the Eleventh Census), the Superintendent of the United States Census is likely to experience much hostility during the brief term of his decennial public appearance.

No one understands better than you, gentlemen, how easy it is to assault a great work like the census, but assault is one thing and criticism is another. In the first place, we had to gather together and drill a vast army of raw recruits. Of course some of them did bad work. How could it be otherwise? General Walker will tell you the same was true of the Tenth Census. A census without error is an impossibility. Especially is this true under the present system of overloaded schedules and temporary organization. When completed, the reports of the Eleventh Census will make not less than 25 quarto volumes of 1,000 pages each. The amount of detail covered by these volumes is stupendous: the history of 63,000,000 people (including Indians and Alaskans) separately treated; the corporate and other limits of 150,000 minor civil divisions properly adjusted; the financial condition of these same divisions correctly stated; the agricultural, manufacturing, and mining resources of the nation carefully analyzed, in every case the information obtained from the individual, corporation, or firm; and the amount of the mortgage debts of the people abstracted from the records and obtained direct from millions of people by correspondence. Millions of schedules were tallied twice for the rough count alone. One handling of the population schedules for the purpose of punching the holes chronicled over one thousand million facts. After this, the 63,000,000 cards with their thousand million statements must each pass through the tabulating machine five times. These are but a few main

features of the census work. Would it be surprising, therefore, if people did find a few errors in the census with microscopes? If the same test of fault-finding and carping over minor errors, interviewing and falsifying discharged clerks, and twisting the facts generally, that has been applied to the Eleventh Census, were applied to the *Encyclopædia Britannica*, or Appleton's *Encyclopædia*, untold complaints could be lodged. And why? Because no statistics or honest statements of facts sufficiently simple to be exact for the entire land will ever be sufficient for the wants of local boomers of population, manufactures, mineral resources, or the heralds of our corn crops.

Up to the present time the work of the Census Bureau has been repeatedly attacked but not criticised. These attacks have generally come from newspapers in communities where the population did not come up to expectation; where recounts were asked for and refused on good grounds, or where recounts were forced upon the people in spite of protest. Then there are all kinds of boomers who attack the census to justify their own ridiculous estimates: the land boomer, who wants to sell real estate, thinks the population too small; the geological boomer, who wants to get a big appropriation from the State Legislature, inflates the value and output of the stone quarries and coal mines of his state; persons interested in schools and institutions for special classes are quite sure that we have not enumerated all the blind, the insane, the deaf and dumb, etc., because their estimates are put out of joint. The health "boomer" in our large cities usually ignores the census altogether. This was so in 1870 and 1880 in many cities. They calmly add fifty or a hundred thousand to the census returns, thus keeping down death rates, and let the people feast on the luscious falsehood rather than offend them by the bitter truth. So you see all the boomers are as a rule against the census.

It is not my intention to defend the census. There is no necessity for doing so. Most of you have received the preliminary publications of this Bureau, (a) and they are fair samples of what is being

(a) A list of bulletins already printed will be found in the Appendix.

accomplished. The printing of what will comprise the first four or five hundred pages of the population volume is about completed and will be ready before Congress meets. Four final volumes relating to special inquiries (mines and mining; wealth, debt and taxation; transportation, and Indians), are in the hands of the Government Printer, and the greater part of the special work will be finished this year. Thus in a short time the Eleventh Census will vindicate itself. The more criticism, if it be honest and just, the better the census. Where there is public apathy you are far more likely to find poor work through the indifference of subordinates than in localities awake to the importance of the census and jealously watching its results. So far as the Eleventh Census is concerned, I am satisfied that every line of every bulletin has been subjected to the closest microscopic criticism, and these examinations have not always been conducted in a spirit of fairness.

The preliminary bulletin was used to great advantage ten years ago, but a good printing office established at the time of the formation of the Census Bureau has enabled us to make still greater use of this means of speedily reaching the public. Bulletins have been published or are at present in type giving the population of every State and Territory of the United States by minor civil divisions. This work is really final, though a few minor errors may be discovered before the population volume is finally printed. The aggregate population announced November 26, 1890, has not been changed. In quantity we have published up to date about the same amount of population returns as the Tenth Census, though not exactly in the same shape. On special subjects we are considerably ahead of 1880, the total number of pages of bulletins published being 2,378 for the Eleventh Census as against 196 for the previous census. Profiting by the experience of General Walker, I secured a special appropriation for the printing of the preliminary work. A large proportion of the work has been done in the Census Printing Office. Of course minor errors have been found here and there in the enormous amount of special work, but

only one bulletin has been withdrawn from circulation. These reports will be strengthened in every possible way in the final volumes, but the result thus far speaks for itself and does great credit to the experts and special agents who have labored industriously, conscientiously and with ability to make the census a success. Of the thirty experts and chiefs on whom I have leaned heaviest, at least twenty-three held similar or prominent positions in the Tenth Census. These names will be familiar to your illustrious president, and they are assurance of good work—a list strong enough to discredit malicious attacks and irresponsible criticism: John S. Billings, Henry Gannett, S. N. D. North, James H. Wardle, Frederick H. Wines, Frank R. Williams, James H. Blodgett, J. C. Stoddard, William A. King, John D. Leland, Joseph D. Weeks, Henry Bower, George S. Boudinot, A. E. Shuman, Orlando C. Ketcham, W. H. Olcott, Ivan Petroff, Peter T. Wood, Charles A. Jenney, Harry Tiffany, William C. Day, Charles E. Buell, and T. C. Purdy. Among the new strength brought to the work are found the names of A. F. Childs, William C. Hunt, John Hyde, Mortimer Whitehead, Henry C. Adams, George K. Holmes, John S. Lord, Edward Stanwood, J. K. Upton, Henry K. Carroll, David T. Day, Thomas Donaldson, Henry T. Cook, Thomas N. Conrad, Frederick H. Newell, J. H. Hale, George A. Priest, Thomas C. McMillan, Allen R. Foote, George W. Graeff, William M. Sweet, Byron Rose, John Birkinbine, Richard P. Rothwell, Charles Kirchhoff, James B. Randol, R. L. Packard, John H. Jones, George F. Kunz, Lyman J. Childs, A. C. Peale, E. W. Parker, Burt Fesler, Charles H. Cooley, Thomas J. Vivian, Charles F. Pidgin, and Howard Sutherland, every one of whom has reason to feel as proud of the record made in the Eleventh Census as the others do of their records in both the Tenth and Eleventh.

There is not a failure in all this list of experts and specialists; not an inquiry that will have to be abandoned. I would be the last person to maintain that the census in all its branches is absolutely accurate, and you would be the last persons to believe such a statement.

It is true, however, that after making due allowance for the imperfections of the laws, the numerous inquiries dumped into the Census Office, and the magnitude of the work, results have been obtained decidedly in advance of any preceding census. It is true that owing to improved methods of tabulation we shall be able to secure results, especially in the population division, which could not have been obtained in 1880 without the expenditure of an amount of money far in excess of the appropriation. Comparisons, therefore, that may be made between the Tenth and Eleventh Censuses must not be regarded as criticisms (for the Tenth Census was a splendid piece of work), but merely as showing what has been accomplished by a careful study of General Walker's admirable plans, strengthened by new and better methods of tabulation, restricted as to the study of the latent resources of the country and the technology of industry, and by such improvements as experience in the Tenth Census may have suggested. The endeavor has been to make the Eleventh a purely statistical census, dealing only with information called for by law and although the new investigations added by Congress will make it nearly as bulky as the Tenth Census, the work has been held rigidly within the scope determined upon at the outset, and the plans originally formed have been substantially carried out. We have only been dealing with developed industries. Thus, in the matter of mineral resources, the work of the office was directed to finding the product from existing mines, leaving to the National Geological Survey and the State Geological Surveys the development of the extent of existing coal fields, of iron deposits, etc. Similarly in the matter of timber resources, the extent and value of standing timber being a subject under examination by the Division of Forestry of the Department of Agriculture was not taken by the Census, but the work in this Bureau was confined to the lumber product and its use in manufactures.

The study of the methods in use in the various branches of art and industry in this plan was not considered a part properly of the census inquiries, and was not touched upon. Similarly the study

of soils, and incidentally the surface geology of the country, although of the utmost value of themselves, and especially in their application to agriculture, was not considered as properly falling within the scope of the Census.

With these general ideas in view, the following plan for the Eleventh Census was mapped out, and has been adhered to throughout :

- I. POPULATION.—Characteristics, conditions, distribution, and parentage. Occupations.
- II. VITAL AND SOCIAL STATISTICS.—Mortality and vital statistics. Social statistics. Statistics of special classes. Pauperism and crime.
- III. EDUCATION AND CHURCH STATISTICS.—Education and illiteracy. Religious bodies in the United States.
- IV. VALUATION, TAXATION, PUBLIC EXPENDITURES AND INDEBTEDNESS.—Valuation and taxation. Receipts and expenditures. Indebtedness.
- V. FARMS, HOMES AND MORTGAGES.—Recorded indebtedness. Ownership of farms and homes and indebtedness thereon.
- VI. AGRICULTURE.—Irrigation. Tobacco. Farms, cereals, grass lands and forage crops. The fibers, forestry, and sugar. Live stock on farms and dairy products. Wool and miscellaneous. Horticulture, including truck farming, floriculture, seed farming, nurseries, and tropic and semitropic fruits. Viticulture. Live stock on ranges. Live stock not on farms.
- VII. MANUFACTURES.—General statistics of manufactures. Statistics of specified industries. Manufactures in cities. Lumber and saw mills, timber products. Slaughtering and meat packing. Chemical manufactures and salt. Clay and pottery products. Coke and glass. Cotton manufactures. Dyeing and finishing of textiles. Electrical industries. Manufactured gas. Iron and steel. Printing, publishing, and periodical press. Wool manufactures, including woollen goods, worsteds, felt goods, carpets other than rag, wool

hats, hosiery, and knit goods. Shipbuilding. Silk and silk goods. Agricultural implements. Paper mills. Boots and shoes. Leather, tanned and curried. Brick yards. Flour and grist mills. Cheese, butter, and condensed milk factories. Carriages and wagons. Leather, patent and enameled.

VIII. MINES AND MINING.—Mineral industries in the United States: Iron ore. Gold and silver. Copper, lead and zinc. Quicksilver. Manganese, Petroleum, and natural gas. Aluminium. Coal. Stone. Precious stones. Mica. Mineral waters. Minor minerals.

IX. FISH AND FISHERIES.—Statistics of fisheries by geographical divisions. Statistics of fisheries by name. Scientific and popular names of fishes, with their geographical distribution. Illustrations of the principal food fishes of the United States. Condensed description of fish by species. Statistical summary for each species for the United States. Directory of principal firms and corporations engaged in the fishing industry of the United States.

X. TRANSPORTATION.—Railroads. Statistics for the year ended June 30, 1890. Statistics for ten years ended in 1889. Lake, ocean and river transportation. Canals. Transportation on the Pacific coast. Express business. Street railways.

XI. INSURANCE.—Fire, ocean marine, inland navigation and transportation, and tornado insurance business. Life insurance, showing the business of level premium, assessment, and co-operative companies. Miscellaneous insurance, including the business of accident, burglary and theft guarantee, hail, live stock, plate glass, and real estate title guarantee, steam boiler, surety, and wind storm insurance companies. Fraternal and other beneficiary associations.

XII. INDIANS.—Report and statistics of the condition of Indians living within the jurisdiction of the United States, 1890, taxed and untaxed.

XIII. ALASKA.—Population and resources of Alaska.

XIV. VETERANS OF THE CIVIL WAR.—(Seven volumes of 1,000 pages each ; publication not yet authorized.)

XV. STATISTICAL ATLAS.—(Publication not yet authorized.)

While, as I have said, the Eleventh Census will be purely a statistical one, and in this respect has been condensed, in certain other directions the scope of the census was enlarged by several acts of Congress. Prominent among the additional matters touched upon is the ownership of homes and farms, and the amount of mortgages secured by real estate, which were authorized by special act of Congress and special appropriations made therefor. Certain questions were added to the population schedules which had never before appeared in a national census, such as the number of children born and number of these living at date of enumeration, questions relating to aliens and naturalization, and ability to speak the English language. The form of the schedule was changed, and for the first time a family schedule was used as a prior schedule to a considerable extent, especially in our large cities. Its use as a prior schedule was carried as far as seemed to be safe and economical. To what extent the prior schedule aided the enumerators in their work I am unable to say, but my impression is that in places where it was used intelligently and methodically it facilitated the work and increased the degree of accuracy. Of course a family schedule means about 20,000,000 separate schedules, and in 1900 will be about 25,000,000, but with mechanical tabulation and ample accommodations they are easily handled until the punching is completed, and then the punched card takes the place of the schedule. The punching was completed in six months, at the rate of from ten to fifteen million cards per month. This finished, we are now running the cards through the machines for the compendium tally.

By the use of electric tabulating machines it has become possible in the present census, for the first time in the history of statistical work, to aggregate from the schedules all the information which

appears in any way desirable. Heretofore the amount of such information which could be evolved from the schedules had been limited, especially in the degree of complexity of the tables. It had been possible to obtain related statistics in tabular form only to a limited extent, but with the machine the most complicated tables can be produced at no more expense than the simpler ones. To illustrate this, I need only call attention to the first handling of the cards by the machines after they had been punched, by which we obtain seventy possible combinations of facts as regards general population, six items relating to naturalization for foreign white and foreign colored, seven details as to color for the native and foreign colored, and six items as to the ownership of homes and farms, which concerns all householders.

The first time of passing the cards through the machine was naturally the most difficult. The clerks were mostly beginners, the error cards rejected by the machines had to be corrected, and the minor civil divisions adjusted. The average number of cards per day per clerk will range from 7,000 to 8,000 the first time through, and not less than 10,000 per machine for subsequent counts. One hundred machines with one hundred clerks are now tabulating one million cards per day. With sixty or seventy possible combinations at each handling, four or five times through the machines will about exhaust the information on the schedules.

From the first handling of these cards we obtain for each enumeration district a primary classification of the population according to native white of native parentage, native white of foreign parentage, foreign white, native colored, and foreign colored. In 1880 no distinction was made for native white as to those of native or foreign parentage. Each of the primary classifications just noted for 1890 is in turn subdivided according to sex and by the following age periods: less than 1 year; 1 to 4 years; 5 to 9 years; 10 to 17 years; 18 to 20 years; 21 to 44 years, 45 years and over. For all adult males of foreign birth a classification is also made as regards the number who have been naturalized, have taken

out naturalization papers, or are aliens, together with a separate classification as to the number of aliens who cannot speak the English language. In the same way for the native and foreign colored a separate classification is made as regards the number of blacks, mulattoes, quadroons, octoroons, Chinese, Japanese, and Indians. For all householders, also, a separate classification is made as regards the number who hire or own their homes or farms, and if owned, the number of homes or farms that are free or mortgaged. From the results of this first or preliminary count we shall be able to show by states, counties, cities, wards of cities, and for every municipal corporation in the United States for which a separate return of population was made by the Census enumerator, not only the simple statements as to the number of males and females, the number of native born and foreign born, the number of whites, negroes of pure or mixed blood, Chinese, Japanese, and civilized Indians, but all the combinations of facts as regards sex, color, and general nativity for each of the principal divisions of the population as regards age, comprehending children less than 1 year of age; children under 5 years of age, of special importance for purposes of vital statistics; the number of children between 5 and 17 years of age, or the school age; the number of males between the ages of 18 and 44 years, or the natural militia age; the number of males 21 years of age and upward, representing the potential voting age, and the number of persons over 45 years of age, or the aged and sterile classes.

Besides this, very interesting results will be shown by states and for principal cities concerning areas, dwellings, and families, comprehending the total number of families and dwellings, the average number of persons to a family, the average number of persons to a dwelling, the number of persons to a family in detail, as number of families of two, three or four persons, to the highest number reported; the number of persons to a dwelling in the same manner; and for the larger cities a special classification of the number of families to a dwelling. The only tally in 1880 as regards dwellings

and families was by simply counting the number of families and the number of dwellings in the given district, and dividing the total population of that district by the number of families and the number of dwellings, in order to obtain the average size of such families and dwellings.

So much for the first handling of the cards. It is expected that the result of this work will all be in the hands of the Public Printer before the close of the year.

The subsequent counts of the punched cards, as I have said, may number four or possibly five. They will furnish all the various particulars concerning each individual as regards place of birth in detail by states and foreign countries, ages by single years, occupations, months unemployed in remunerative occupations, foreign parentage, illiteracy, and conjugal condition, besides several new and important features of the present census as regards population. The inquiries concerning foreign born male adults as to the length of residence in this country, and whether they are naturalized or not, will furnish data in regard to the problem of unrestricted immigration. For all persons ten years of age and over, either of foreign birth or foreign extraction, an inquiry was made as to whether they were able to speak the English language. The results of these inquiries, particularly as regards the alien element of our population, will determine the number who have not yet learned to speak our language. Concerning all married women, also, a new inquiry has been introduced into the census, calling for the number of children born to them since marriage and the number of these children now living. This will aid in solving the question as to the relative fecundity of women of various nationalities. The present census law also calls for a subdivision of the colored population into blacks, mulattoes, quadroons, and octoroons. The result of this special requirement can furnish, however, only an approximation at most as to the real facts.

The separate enumeration of the names and service of survivors of the war of the rebellion has also entailed a great deal of labor in

the collection, correction, and classification of the results of this special enumeration, comprehending records of from 1,200,000 to 1,500,000 veterans, and which, if published, will occupy seven large quarto volumes of 1,000 pages each. At the last session of Congress no provision was made, however, for the printing of this huge directory of surviving veterans of the late war, and until such provision has been made for the continuation of this work no further steps can be taken toward the completion of the results of this most important and patriotic inquiry. Incidental thereto, however, by means of a special inquiry made on the population schedule, it will be possible to show for all surviving veterans their ages at the time of taking the census, where they were born, where they now reside, in what employments they are found, and what their present mental and physical condition may be; for the widows of such as have died, a similar presentation will also be made. This portion of the inquiry will be brought to completion as soon as possible.

In the subsequent counts of the cards the primary classification of the population into native white of native and foreign parents, foreign white, and native and foreign colored, will be observed in all cases. With the exception of the distinction already referred to for native white as regards parentage, the results concerning single years of age and place of birth in detail by states, territories, and foreign countries will not differ essentially from those arrived at in the census of 1880.

The results alluded to as intended to be shown in 1890 were obtained in 1880 by the following tallies: a rough count showing the population by white and colored, by native and foreign, and by male and female. I believe there were also tallied separately Chinese, Japanese, and Indians, where such occurred. Age was tabulated by single years, according to the six following heads: native white male, native white female, foreign white male, foreign white female, colored male, and colored female. From this tally the various tabulations of age, race, and sex were

obtained. The birthplace of persons residing in the United States was tabulated according to the forty-seven states and territories for the native born, with the distinction of white and colored, and according to some sixty foreign countries for the foreign born.

For foreign parentage, however, it will be possible in 1890 to show as regards each of these primary subdivisions a classification of birthplace of father in combination with the birthplace of mother for the following countries: United States, Ireland, Germany, England, Scotland, Wales, Canada (distinguished as to French and English Canadians), Sweden, Norway, Denmark, Bohemia, France, Hungary, Italy, Russia, with a grouping of other countries, and unknown. In 1880 foreign parentage was tabulated, according to what General Walker at that time appropriately termed "a highly complicated form," for a little more than one-half of the entire population, or 26,354,124 out of a total population of 50,155,783, according to whether the person was native or foreign born, and whether the father was born in one of the following seven groups of birthplaces: United States, Ireland, Germany, Great Britain, Scandinavia, British America, and other countries, and according to the same seven groups of birthplaces for the mother. Measured by possible combinations of facts, this means a total of 1,620 points in 1890 as against a total of 98 points in 1880.

In 1890 the occupations as returned by the enumerators have been classified under nearly three hundred heads, following in the main the classification used in the Tenth Census, but with certain modifications and amplifications to meet the requirements of the present census. The results regarding occupations will be shown according to the primary subdivisions of population, as already noted, by sex, for the eighteen places of birth referred to under foreign parentage, and for the following age periods: Under 15; 15 to 19; 20 to 24; 25 to 34; 35 to 44; 45 to 54; 55 to 59; 60 to 64; and 65 and over. In 1880 occupations were

tabulated under 265 heads, by sex, by three age periods, namely, 10 to 15; 16 to 59; 60 and over, and according to seven birthplaces, grouped as follows: United States, Ireland, Germany, Great Britain, Scandinavia, British America, and other countries.

Regarding illiteracy, a tabulation will be made for all persons ten years of age and over who can neither read nor write, or who are returned as being unable to write, subdivided according to the five primary divisions of population, by sex, and for ages by quinquennial periods from 10 to 25 years, by decennial periods from 25 to 45 years, and for those 45 years and over. In addition, such distinctions will be made as regards place of birth and occupations as may be necessary to determine the nationalities from which the larger part of this element of our population is derived as well as the employments in which they are more commonly found. In 1880 the illiterates were tabulated according to native white, foreign white, and colored, and subdivided by sex according to the following three age periods: 10 to 14; 15 to 20; and 21 and over.

One of the most striking illustrations of the improved methods of tabulation is the fact that General Walker was unable to tabulate conjugal condition even in its simplest form, though full data regarding the same were enumerated. In 1890, however, the conjugal condition of the people will be tabulated not only as regards native white of native and foreign parentage and foreign white, but for the colored a further separation will be made as regards the blacks, those of mixed blood, and for Chinese, Japanese, and civilized Indians, distinguished as to sex and age periods.

Speaking of errors, and they will creep in regardless of every precaution, reminds me of the fact that the punched card system provides a far better check against error than the old system of tallying. Every day a careful examination of the cards punched by each clerk was made, and the percentage of errors found that would pass through the machine rarely exceeded a quarter of one per cent. This system of examination comprised the taking of twenty-five to fifty cards at random and comparing them with the

schedule. In the work of punching, three classes of errors are likely to occur: first, the card may be improperly punched, that is, some part of the information necessary to a complete transcript may be omitted; in all cases, however, these cards are invariably rejected by the tabulating machines, and cannot be counted until the proper corrections have been made; second, the record punched upon the card may be an inconsistent one, as, for instance, a young person less than ten years of age may be recorded on the card as engaged at some remunerative occupation, as farmer, carpenter, etc., which, of course, cannot be the fact and is an error in punching; such inconsistent transcripts, however, must appear on the result slips when this class of information is tabulated, and will then, as a matter of course, be eliminated; third, the card may be so punched that the error may be said to be a consistent one, that is, the information as punched may not be the exact fact, and still is not inconsistent with the other facts punched on the schedule as regards sex, place of birth, occupation, etc.; for instance, a person's age may be punched 29 years instead of 25 years, yet the facts as regards occupation, place of birth, etc., are thoroughly consistent with such record. The latter is the only class of error which cannot be detected by the work of subsequent tabulation. I have every reason to believe, however, that the percentage of this class of error is entirely immaterial, particularly as it is as easy to punch a correct transcript as an incorrect one. And the reason for this belief is the fact that thus far, and we have run more than half the cards through the machines, the two classes of errors which can be detected only average a little more than one per cent of the total number of cards counted. In this connection it must be understood that of this percentage of error more than three-fourths are made up of omissions to punch one or more holes out of an average of from fourteen to seventeen holes to each card and less than one-fourth of incorrectly punched holes, this estimate being based upon a very careful examination of over two hundred thousand cards to determine the classes of error most commonly made.

Another point should also be stated. As I have just mentioned, in each punched card from fourteen to seventeen holes were necessary to represent all the information returned on the population schedule concerning each person enumerated; so that, if instead of basing the percentage of error, whether of omission or commission, upon the actual number of cards rejected, as has been done, it should be determined by the relation which the number of holes omitted or improperly punched bears to the whole number of holes punched in all the cards, the percentage of error discovered and corrected becomes hardly worthy of serious consideration, that is, less than one-fifteenth of one per cent. It is not likely therefore, that the errors that go undetected are consequential. The only way to insure absolute accuracy would be to compare every card, the cost of which would be so great that it would be folly to undertake it. With ordinary care and with additional checks the transcription of data has been undoubtedly as accurate, if not more accurate, than in previous censuses.

In closing these remarks relating to the population work I cannot speak too highly of the assistance I have received from Mr. William C. Hunt, of your city, special agent in charge of population. Much of the credit for the thoroughness of the work and the promptitude with which it has been done belongs to him.

The electrical tabulating system has not only been used by the population division but by Dr. Billings in tabulating the vital statistics, and by Mr. Wines in tabulating the statistics of pauperism and crime. As I shall show later on, the latter report is nearly completed, and will be ready for the printer in a few months. In speaking of his experience with the card system Mr. Wines recently said:

“The essential difference between the Eleventh Census and that which preceded it was the adoption of the card system for the tallying of results and the use of the newly invented Hollerith electrical machine for counting the cards. Too much can scarcely be said in praise of this machine, which has enabled us to

compute results with much greater rapidity and accuracy than by the old method of tallying, besides giving the opportunity to make a much more thorough analysis of the figures.

“One who has not had personal experience in handling cards prepared as these have been cannot conceive the stimulating effect which they have upon the imagination of a statistical computer. They become endowed, in his fancy, with all the attributes of living beings, whose life experience is written upon their face in hieroglyphic symbols resembling in significance the traits of the human countenance. A card which means nothing to the uninitiated is converted into a pauper or a criminal, whose sin and suffering are as palpable as if the man himself were bodily present in the room. The groups into which they are cast are like the divisions of an army, from the corps to the battalion. Under the mysterious influence of the electric current running through the machine, they organize themselves, as though possessed of volition, into these groups and subgroups, with a precision superior to that shown in any movement of disciplined troops at the word of military command. I can compare this current to nothing less intelligent and powerful than the voice of the archangel, which, it is said, will call the dead to life and summon every human soul to face his final doom.

“The first advantage of the Hollerith system is the more than stenographic celerity with which the record of each individual enumerated is transferred from the original schedule to the cards for tallying. Instead of the multiplied motions required in transcription by the ordinary process of writing, one turn of the wrist suffices for the recording of each reported fact. If some time is lost in placing the cards in position in the punching machine, on the other hand the record does not require so many independent physical movements as are necessary even in stenographic writing, where each line represents a sound.

“In the next place, the entire record for each individual is on a single card, and, once made, can never be changed. Under the old

system of tallying by check marks employed in the Tenth Census, recourse had to be had to the original schedule for each successive tally, and if the results in one tally did not correspond to those obtained in another the work had to be done over. Under the new system, when the cards are once correctly punched the schedules are put away forever, and there is no chance for any disagreement between one tally and another. In the Tenth Census all work was done in duplicate, by two sets of clerks, and the results compared for the sake of accuracy and certainty; in the Eleventh Census this duplicate proof has been rendered needless, thus saving both time and money.

"The limitation in usefulness of the punched cards is due to the impossibility of increasing the number of holes on the punching plate, which are insufficient to admit of a complete analysis of all the recorded facts. Practically, however, this analysis can be carried as far as the limitation of cost of the Census will allow.

"But the great superiority of the present system consists in the substitution of a purely mechanical method of counting for the tedious and trying Seaton slips of paper, on which the tally was made by pencil marks. It saves the eyes of the tallyist, reduces the number of tally clerks required, relieves them of the difficult task of actual counting, and avoids the possibility of errors arising from their weariness or inattention. The work which they do becomes sooner or later purely automatic, and the speed which they attain by practice, if adapted to it, is wonderful. Under that system groups of co-ordinated facts are as easily and quickly tallied as single facts, and that without any demand on the intellectual faculties of the tallyist. The possibilities of new combinations in tabulation without extra cost are enormously increased.

"Besides, the sorting-boxes attached to the machine, which are operated by an independent electrical current, enable the statistician to tie up the cards in separate bundles, which are not disturbed until their usefulness is at an end, and then a new arrangement of the cards is practicable, which can be retained as long as

expediency dictates. For example, I have at the present moment 273,455 punched cards, namely, 82,329 prisoners, 73,045 paupers in almshouses, 14,846 inmates of juvenile reformatories, and 113,235 inmates of benevolent institutions. These have all been sorted, first into the five geographical groups of states, according to the plan adopted for all census work; then into the elements of the population for each group, namely, natives with both parents native, father native, mother native, both parents foreign, one or both parents unknown, foreign-born, persons whose birthplace is not stated, negroes, Chinese, Japanese, and Indians. This analysis has been maintained throughout the whole of the work of the eighth division, and will be maintained to the end. Then I have taken the prisoners and subdivided these groups, for that class, according to groups of criminal charges preferred against them, such as larceny, burglary, arson, homicide, etc. I could, had I preferred it, have divided them by ages or by length of sentences imposed, or in any other way. The final outcome of my studies will show that the opportunity to preserve these groupings intact has been of the greatest service in facilitating a more thorough analysis than would otherwise have been possible; and, besides, there is no room for questioning the accuracy of each table evolved, since the results obtained at each successive step must correspond in the aggregate, figure for figure, with those obtained at each previous stage of the entire process, and an error cannot occur which will not infallibly be detected."

This would seem to dispose of all questions as to the accuracy of the method, while the speed and economy is also demonstrable.

Next in importance to the count of the people are the vital statistics and the statistics of the special classes; for after we know the number of our population, its characteristics, distribution, and parentage, the question of its health and physical condition naturally comes up for consideration. The Census Office was fortunate, therefore, in securing the services of that eminent authority on all matters appertaining to vital statistics, Dr. John S. Billings,

surgeon United States army, whose report for the Tenth Census was far in advance of anything ever attempted in this direction before.

The great importance of complete and accurate records of vital statistics, including marriages, births, and deaths, is becoming more and more recognized in this country. Such records are the absolutely necessary foundation for well-directed attempts to improve the health and lengthen the life of the people; to increase the productive efficiency of the workers; to form a sound basis for the enormous money interests involved in the business of life insurance, and for other purposes vital to the health and well-being of the population. The great majority of the States have still no satisfactory system for registration of vital statistics, although most of them are slowly being improved in this respect.

The accurate collection of statistics of mortality by means of the regular Census enumerators is perhaps the most difficult undertaking imposed on the Census Office. Any efforts to secure a statement of facts concerning the deaths occurring in any locality during the year preceding the date on which the inquiry is made will necessarily fall short of securing a complete return. This fact has been well understood, and every effort made to supply deficiencies that could be successfully carried out. The most reliable data are obtained from those localities in which local laws require the registration of each death at the time it occurs, and wherever the facts so recorded furnished sufficient data for the use of this office, copies have been made of the registration records. This has been done to a much greater extent than in any previous census.

The great advantage of the system of tabulation adopted and already referred to lies in the fact that it is possible under that system to make an entirely accurate compilation of the data collected, inasmuch as the whole record in each case is kept upon one card, which is used in all the subsequent steps, and which is identified with the case it represents by a number, permitting quick reference to the original record in case of any discrepancy or inconsistency appearing in the results, a feature which is not possible under any system of tabulation involving the use of tally sheets.

The most important new features of work in this direction are as follows:

(1) A special study of the birth and death rates and of the principal causes of death in twenty-four of our largest cities, to show where the highest and lowest death rates prevail and what the relations of these are to topography, drainage, character of habitations, overcrowding, poverty, and other environments.

(2) A special study of the influence of race upon fecundity and mortality, including studies of the birth and death rates of mulattoes as distinguished from negroes on the one hand and whites on the other, and of the principal European races which have contributed to the population of this country.

(3) A special study of the relations of occupation to death-rates and to particular causes of death, as shown by a detailed study of figures derived from the records of our largest manufacturing cities for a period of five years, in addition to the data of the whole country for the census year which were obtained by the enumerators.

The records obtained from states and cities maintaining a compulsory system of registration of deaths are much larger than those obtained in previous censuses, and cover an aggregate population of over 17,000,000. The death records of this population for the census year in the state of New Jersey, in New York city, Brooklyn, Richmond county, Westchester county, Kings county, and part of Queens county (New York), and in Boston, Philadelphia, Baltimore, and the District of Columbia, and for a somewhat lesser period of time in Chicago, St. Louis, and Cincinnati, have been tabulated. The total number of deaths thus recorded, the records of which are especially accurate and complete, is 740,884. These records, in connection with those for the census year, furnish a continuous record of deaths for these localities for a period of six years, which will afford more reliable information than anything which has heretofore been published with regard to the vital statistics of this country.

Dr. Billings likewise has charge of the statistics relating to the insane, feeble-minded, deaf, and blind, classified in the Eleventh Census under the head of "Special Classes." A comparison with the returns of 1880 indicates that the enumeration of these classes has been upon the whole satisfactory and the treatment of the returns will be substantially the same as ten years ago.

I have not attempted such an elaborate report on the social statistics of cities as that inaugurated in 1880 by Col. George E. Waring. Still the subject was important, and it seemed a pity to omit it altogether. It was therefore decided to make a statistical report on this subject, and the results have been highly satisfactory. The work is now substantially completed, all available information tabulated, errors corrected, and verifications made.

Nearly all the information for the treatment of social statistics of cities has been collected through the several city officials, mostly without expense other than clerical work. Letters explaining the scope of the work were sent to all places having a population of 10,000 and upward, and the several chief executives were asked to co-operate with this office, to enable their cities to have full representation in the final report. Schedules were then prepared, covering all points to be treated, and so divided that each one could be referred to the officer having jurisdiction of the subject to which it pertained. There were twelve schedules covering the following points: Altitude, cemeteries, drainage, fire, government, licenses, parks, police, public buildings, streets, street lighting, and water works. The railroad statistics, including suburban travel, were obtained directly from the officers of the several roads. Bulletin No. 100 shows the manner in which all cities will be treated in the final report.

The scope of the investigation is one that will be useful to every municipality in the country. Apart from showing the conditions surrounding the inhabitants of cities of 10,000 population and upward, it presents in concise form the cost of all municipal improvements. The present inquiry, owing to its purely statistical

treatment, will form a solid basis for subsequent investigation on the same line, but no comparison can be made with the work of Colonel Waring because the volumes of the Tenth Census did not give sufficient statistical data.

As to securing information relating to pauperism and crime for tabulation, there was no essential difference between the Tenth and Eleventh Censuses. Schedules were sent to the larger institutions to be filled by the officers in charge, and for the smaller institutions reliance was placed upon the regular enumerators. The inquiries contained in these schedules were for the most part identical with those ten years ago, though some new questions were added, and the forms of the schedules were, in my judgment, materially improved. A new feature of the Eleventh Census, however, was the appointment of institution enumerators selected by the authorities in charge of the institutions, and the payment of such enumerators, a method which was found to work admirably in practice. The same plan was adopted with all benevolent institutions. In this way we secured three or four thousand of the very best equipped persons as enumerators for a class of work that would be difficult for ordinary enumerators to perform.

The statistics of crime, defect, and misfortune are like the record of thermometric and barometric observations in meteorology, or like the varying movements of the needle which indicates the pressure of steam in the boiler. It is matter for congratulation that the figures for 1890 when compared with those for 1880 show no alarming growth of these evils during the past decade. The number of prisoners returned in 1880 was 58,609; in 1890 it was 82,329; an apparent increase of forty per cent against an increase of a little less than twenty-five per cent in the population at large. But an examination of the figures shows that this relative increase has been in the population of our minor prisons, not of our penitentiaries, and it does not indicate any greater prevalence of serious crime; indeed, it may be due merely to greater care and severity in dealing with disorder

and petty misdemeanors. The number of paupers in almshouses returned in 1880 was 66,203; in 1890 it was 73,045, an increase of only about ten per cent, or less than half what might have been anticipated. The number of juvenile delinquents in custody in 1880 was 11,468; in 1890 it was 14,846; an increase of between twenty-nine and thirty per cent, or very nearly the same as that of the total population. The slight excess is an encouraging fact, since it shows a growing disposition to rescue young offenders from a criminal career.

In Bulletin No. 90, relating to the almshouse population, a table is published, by way of appendix, which shows the number of outdoor paupers found and returned by the Census enumerators. These figures have been much misunderstood and misrepresented by persons who have failed to apprehend the fact that no statistics of outdoor relief can be procured through the agency of the enumerators, for the obvious reason that they cannot ask at every house whether any of the member of the household are paupers. Their local knowledge enables them to report a few of this class. Both in the census of 1880 and 1890 such information as has been obtained in this way has been given to the public, chiefly for the purpose of demonstrating the futility of any effort in this direction. But it should be known and understood that probably not one outdoor pauper in ten ever has been or ever will be discovered and reported by the Census enumerators.

Education was a subject of national census inquiry for the first time in 1840, fifty years ago, when in no entire state but the commonwealth of Massachusetts were public schools and free schools synonymous. The change that almost immediately after that census set up the union free school as a standard in a town of New York swept on across the new states of the West, but compelled to jump over Indiana for the time by an adverse judicial decision, and since the civil war almost the whole Union has come into line for local taxation to secure the support of public schools. The public provision has widened for superior and secondary as well as

elementary education, not so strikingly evident in a state whose early policy foreshadowed what we now see, as in the nation at large, embracing states which for years depended mainly upon private interests for the education of the people. Without pausing to dilate upon the township land grants in all the new states for elementary schools and the special endowments of the agricultural colleges, the records show a more rapid growth of school enrollment than of population, indicating how vital an interest this is to the people. The general conditions for each decade of pupils enrolled in schools, exclusive of special classes, reformatory, charitable, and Indian schools, appear to be as follows :

	1840	1850	1860	1870	1880	1890
Population....	17,069,458	23,191,876	31,443,321	38,558,371	50,155,783	62,622,250
All schools....	2,025,656	3,642,694	5,477,037	7,210,420	.....	14,372,683
Primary and common 1840, public 1850, etc.....	1,845,264	3,354,173	4,955,894	6,228,060	9,951,608	12,707,683

a Including private and parochial, each 800,000; advanced public, 65,000.

Education has not only been a dominant consideration with the philanthropist and moralist, but from the point of view of the statesman and the economist, so much are public policy and public energy involved in its administration.

The conditions point out two distinct lines of census inquiry on education. The population schedules embodied questions as to age, sex, maternal nativity, occupation, in which attendance at school as teacher or pupil is included, and illiteracy, from which could be derived tables showing the amount of time used in teaching, or by children as pupils, as well as an analysis of the condition of occupations and nativity of illiterates.

Much is said of school age. It is to be remembered that school age pertains to state laws, and that there is no national school age.

The state laws vary so greatly on this point that it is better for a national census to give the facts for each year from four years, the minimum in any state, to twenty-one years, the maximum in any state. Individual states can then derive from the national reports such facts as are useful under their own laws. The items above named have never been sought except to a very limited extent by any authority other than a national or a state census, and for the country as a whole by a census only. Few states have yet taken a separate census. The more stress is to be laid upon this matter, as in the discussion as to what is desirable for the future for the Census Office some have presumed that educational statistics were available without the Census. It is to be emphasized that except through the decennial national census no statistics of national illiteracy have hitherto been available. These conditions, as shown by the population schedules, are being tabulated as rapidly as possible.

There is another line of inquiry which ought to be readily handled, and educators and school officers should see to it that it becomes comparatively easy for even a private individual to gather the facts for his own satisfaction in any year. This line of inquiry is the reports of the institutions as distinguished from the statements by the heads of families. It is now a laborious inquiry, not altogether satisfactory, because of the exceeding diversity of records. It should be so light a work that any state could afford to give an outline table of attendance for the Union from its exchanges with other states, occupying a small space, to make a comparative view for its citizens in any regular report. It is now, however, no light work to gather even the public-school enrollment.

Taking warning from the fate of educational statistics in the Tenth Census which largely failed of publication, it was determined to confine the inquiries in the Eleventh Census to a small number of essential questions most readily answered, the results of which would be capable of being most promptly prepared for pub-

lication. The schedules sent out for the public common schools, therefore, asked only for the number, sex, and color of the teachers and pupils, and a separate statement for those in high schools. Simple as this schedule was, it was necessary to send thousands of inquiries to local officials in some of the states because the ordinary report took no account of sex or color. Even number is not a simple matter in practice, whatever it may seem in theory. In some cases the promotions, re-enrollment, and transfers within the year all went to swell the annual enrollment, while in other cases all such duplications were carefully excluded, most completely of all the states by the commissioner of common schools for Rhode Island. Sex was omitted from the usual reports of twenty states at the organization of the Census; the chief officials in seven of these were able to adjust their reports for the census year so as to report sex. There is an idea prevailing in certain quarters that number is the only essential item. Passing by the important question whether more boys or more girls are occupied in wage labor—and so anywhere the balance of the sexes is disturbed in elementary schools—here in the state of Massachusetts are a little over 25,000 pupils in public high schools. It is well known to those who have paid special attention to the subject, that in the country at large girls greatly predominate over boys in high schools. Now it is a question of consequence whether the high schools of Massachusetts are equably educating the young people or whether they tend to become young ladies' seminaries, yet the attendance by sex is not a matter of state record. In the nation, color becomes an important item as a superficial indication of race, though in large portions of the country one race is almost absolutely prevalent to the exclusion of others.

Here in Massachusetts it was not presumed that a teacher would find it difficult to make a suitable estimate of the sex of his pupils and of the few colored enrolled in the census year from his knowledge of changes by the time inquiries reached him. The press has rendered invaluable aid to the census and so to the community, and it was by the criticism of an enterprising Boston daily upon

the inadequate showing in a Census Bulletin of the reports on color in the schools furnished by the local authorities, that something like a fair statement of the colored enrollment was at last secured for Massachusetts. The criticism of the newspaper led some officials even to send corrections for their original reports. The fullness and accuracy of reports of institutions depend on school officials. If the records are defective no inquiry after the year is ended can be readily answered, and so for all institutional reports the first essential is completeness of the leading particulars of record. If the local records are properly made and preserved, their compilation into state and national tables will be a very simple and easy matter, not very burdensome upon any bureau that may do the work.

In the absence of anything like a uniformity of record of attendance, it was deemed wholly impracticable to secure the exceedingly important item of effective attendance which could be expressed by the aggregate number of days' attendance of all pupils. It is in evidence of the labor that the general statistics of school enrollment for the census year throughout the country are not yet available to the public except through Census publications, and it is in evidence of the energy with which the work has been pushed by Professor Blodgett that the facts are available to the public at so early a date. The final results, with very slight allowance for additions to private and parochial schools, will show close to fourteen and a quarter million pupils in all schools, including nearly eight hundred thousand in private schools and a like number in the subdivision parochial schools.

To be definite, the enrollment in the common schools of the United States in the Eleventh Census year will not vary appreciably from the following statement:

	Total.	White.	Colored.
Teachers.....	361,781	337,740	24,041
Pupils.....	12,707,683	11,350,587	1,357,096

The office has occasion to recognize an almost universal, hearty and cordial co-operation by public and private school officers and managers of parochial schools.

It is undoubtedly true that for the first time the United States Census has secured complete church statistics. By limiting the number of questions and by the most persistent and voluminous correspondence, we have nearly finished the work of showing by counties the number of church communicants in something like 130 religious denominations and their several branches. These statistics have been gathered expressly for the Eleventh Census. None have been copied from printed reports, except so far as those reporting for districts or associations or conferences may have used printed matter when other sources of inquiry failed. The plan adopted was to secure the statistics desired through the clerks of the various ecclesiastical subdivisions. In churches having the presbyterian form of government, the stated clerks of presbyteries were requested to gather, by the use of printed circulars, the statistics from the churches within their jurisdiction, enter the results in schedules and forward them to the Census Office; in churches having the episcopal form of government, this work was placed in the hands of the secretary or bishop of the diocese; in churches having annual conferences, like the Methodist Episcopal, the presiding elders of districts, who visit all their churches once every quarter, were commissioned to obtain the desired information; in the Catholic churches the very arduous task of collecting the necessary statistics was intrusted to persons selected by the ecclesiastical authorities; in denominations having no ecclesiastical conferences or associations, like the Unitarians, each pastor was communicated with directly. I may say that this plan has worked admirably. It would have been impossible to communicate with all pastors direct, because in many churches they change their location very frequently and new congregations are being constantly organized, and reports obtained in this way would be necessarily incomplete. Each stated clerk of

presbytery, secretary of diocese or association, or presiding elder of district, knows intimately all the congregations within his jurisdiction, and this fact insures complete and intelligent reports. The number of secretaries, stated clerks, and presiding elders who have assisted in this way in obtaining statistics is very large. Many of the denominations for which full returns have been obtained never gave to the public before any statistics whatever. The following returns have been tabulated and are already printed in bulletin form :

FIRST BULLETIN: Advent Christians; Evangelical Adventists; Life and Advent Union; Baptists; Seventh-Day ; Seventh-Day German ; Six Principle ; Brethren in Christ, or River Brethren ; Catholic Apostolic; Christian Church South; Church of the New Jerusalem (Swedenborgian); United Presbyterian; Salvation Army ; Schwenkfeldians; Theosophical Society.

SECOND BULLETIN: Brethern (Plymouth); Church of Jesus Christ of Latter-Day Saints (Mormons); German Evangelical Protestant Church; German Evangelical Synod; Moravian (Unitas Fratrum); Cumberland Presbyterian; Reformed Episcopal.

THIRD BULLETIN: Armenian Catholics; Greek Orthodox Church; Greek Catholic Church (Uniates); Old Catholic Church ; Reformed or Converted Catholic Church; Roman Catholic Church; Russian Orthodox Church.

FOURTH BULLETIN: Mennonite; Bruederhoeef; Amish; Old Amish; Apostolic; Reformed; General Conference; Church of God in Christ; Old Wisler; Bundes Conference; Defenceless Brethren ; Dunkards (Conservative); Dunkards (Progressive); African Methodist Episcopal; Wesleyan Methodist; African Union Methodist Protestant; Independent Churches in Christian Union; Temple Society; Church of God; Reorganized Church of Jesus Christ of Latter-Day Saints; Shakers; Amana Society; Bruederhoeef ; Harmony Society; Society of Separatists ; New Icaria; Altruists.

FIFTH BULLETIN: Lutheran; General Synod; United Synod in the South; General Council; Synodical Conference; Joint Synod of Ohio and other States; Buffalo; Hauge's; Norwegian; Michigan; Danish Lutheran Church in America; German Augsburg; Danish Lutheran Church Association; Icelandic; Immanuel; Suomai; United Norwegian; Independent Congregations.

The following returns for two bulletins are in course of tabulation :

Associate Church of North America; Associate Reformed Presbyterian Synod of the South; Bible Christians; Christian Connection; Disciples of Christ; Disciples of Christ (Colored); Cumberland Presbyterian Church (Colored); Friends: Orthodox, Wilburite, Hicksite, Primitive; Hebrews: Orthodox, Reformed, Hebrew Christians; Independent Methodist; Reformed Church in America; Reformed Presbyterian Church of North America (General Synod); Reformed Presbyterian Church in the United States (Synod); Reformed Covenanted; Reformed Presbyterian Church (Pittsburg Presbytery); Social Brethren; Society of Ethical Culture Spiritualists; Union American Methodist Episcopal; Welsh Calvinistic; United Zion's Children; Confucianists; Christian Reformed Church in the United States; Seventh-Day Adventist.

Church of God (Age to Come); Baptist (Regular); Baptist (Regular, Colored); Baptist (General); Baptist (Primitive); Baptist (Primitive Colored); Baptist (Original Freewill); Baptist (Free); Baptist (General Freewill); Brethren (Owen's); Brethren (Whelpley); Brethren (Old Order); Christian Scientist; Church of God in Christ Jesus; Church Triumphant; Church Triumphant (Koreshan Ecclesia); Congregationalist; Evangelical Association; Congregational Methodist; Free Methodist; Methodist Episcopal South; Methodist Episcopal; Primitive Methodist; Colored Methodist Episcopal; African Methodist Episcopal Zion Church; Methodist Protestant; Presbyterian Church in the United States; Presbyterian Church in the United States of America; Protestant

Episcopal; United Brethren (Old Constitution); Unitarians; Universalists.

The volume on Church Statistics will be ready for the printer by the close of this year.

The work of the Wealth, Debt, and Taxation Division of the Census has been modeled after the work of 1880, which I had the honor to compile under the direction of General Walker. The debt work is now completed and in the hands of the printer, and I hope to have the completed volume out early in 1892. Except in the matter of receipts and expenditures, the scope of the work for 1890 is not much greater in extent than it was for 1880, but the work itself is far more exhaustive in detail. In 1880 the debt of only twenty-seven foreign nations was compiled, and these from unofficial sources. In 1890 full official details will be published of eighty-one countries, and their per capita. The debt of the United States is also much more in detail in 1890 than in 1880, and with it is shown the paper and coin circulation, which was not shown at all in 1880. In 1880 the debt of the states of the United States as published showed few, if any, details, and no account was taken of the funds held by the states, either in amount or character. For 1890 complete details of every outstanding loan and of all funds on hand will be shown for each year from 1880 to 1890. The municipal and school district debt was not published in detail in 1880, except for New England. In 1890, every place that has a debt will be reported.

In 1880 the receipts and expenditures of only 310 municipalities, being those having a population of 7,500 or upward, were shown. In 1890, not only will the expenditures of these cities be shown, but the receipts and expenditures of the states for ten years, in detail, of all the counties where information can be obtained, of all municipalities having a population of 4,000 or upward, probably more than 1,000 in number, and of all the school districts in the United States by counties.

In 1880 no details of valuation of cities less than those having a population of 7,500 were shown except in New England, Michigan, New York, Pennsylvania, and New Jersey, and in the three latter the details of taxation were not shown. In the Eleventh Census, 1890, the valuation and taxation of every place in the country having a population of 1,000 or upward will be published, and probably in New England, New York, and Pennsylvania every place with a debt-creating and taxing power. Speaking as the author of the work ten years ago, I do not hesitate to say it will be in every respect a far more valuable and complete report.

I have now come to a novel feature of the Census.

It has cost nearly a million dollars thus far to collect the statistics of mortgage indebtedness of individuals and private corporations throughout the United States. That seems like a large sum of money, but it will take, as I informed the committee of both Houses of Congress when the matter was under consideration, at least another half million dollars to finish the investigation. Did Congress act wisely in appropriating a million dollars to carry on this investigation, especially when the committee was informed at the time that certainly half a million more and possibly another million would be required to finish the investigation? It was not a hesitating act. Both parties voted for it. In the Senate I believe but four votes were cast against the bill, and in the House of Representatives not over twenty-five negative votes were recorded. It was a novel not to say a bold step in statistical inquiry. Old statisticians shook their heads and said the obstacles in the way of such an investigation were too great to overcome. All over the country could be heard murmurings of discontent and declarations that the people of the United States would never submit to such an inquisitorial inquiry into their private affairs. Reckless newspapers made this investigation, forced upon the Census Office in spite of the repeated protests by almost a unanimous vote in both Houses of Congress, an excuse for attacks upon the whole Census, and called upon the people to resist the enumerators,

if necessary, with force. Meantime the Superintendent of Census was sorely perplexed. This novel inquiry had been ordered on the very eve of sending out the population schedules. Those schedules were complete and the public printer was ready to start the printing of 25,000,000, the probable number required. No time could be lost. To put questions in the population schedules asking every individual in the United States the amount of the mortgage on his farm or home, the motive for contracting the debt, and the value of his property, would have swamped the constitutional enumeration of the people. The amount of irritation which would have been aroused had this course been adopted cannot be estimated. The enumeration of the people would have been endangered and for no purpose, because in the very nature of things the enumerators would have failed in half the cases to obtain the desired information about mortgages. The accepted theory of the Census is that the enumerators see personally about one in every seven of the inhabitants. Already the population schedule of the Census was bowed down with the burden of a double yoke. There were twice as many questions as should have been propounded before those relating to mortgages were added. These questions, however, were made as easy as possible by throwing out all reference to the amount of the indebtedness, interest, value of property, etc., and confining them to a simple inquiry as to whether the farm or home was owned or rented, and if owned, whether free from debt or incumbered by a mortgage. If unable to ascertain whether a home was mortgaged or not, the enumerator was instructed to give the full name and address of the owner, and in subsequent correspondence the Census Office assumed that the property was mortgaged until otherwise informed. This solution proved a practical one, and has formed the basis of one of the most valuable and interesting investigations ever undertaken by any government. While the addition of these and other questions, such as those relating to the veterans of the late war and other inquiries, increased the cost and added to the difficulties of the constitutional enumeration, and

while my individual voice will always be raised against thus overloading the population schedule with special inquiries, I am satisfied that owing to the high character of the supervisors and the faithfulness and intelligence of the vast body of enumerators, the enumeration of the people did not suffer to any serious extent. At the same time Congress should in future legislation simplify the population schedule and relegate all questions relating to special inquiries to other schedules, to be subsequently filled out by special agents or by enumerators employed by the day.

From a statistical standpoint, the work of collecting information in regard to mortgage indebtedness has been prosecuted with a success far beyond the anticipation of statisticians who have studied the question for years. At the present writing it is impossible to estimate the full benefits which will be derived from such an investigation. The employment of a small army of 2,500 special agents and clerks to make an abstract of every mortgage placed on record throughout the United States for the last ten years has attracted attention to the dangers of these incumbrances, to the enormous burdens in the way of interest, to the alarming extent to which usury is practiced, and to the defectiveness of these records in all parts of the country. The agents of the Census Office have, as I have said, overhauled the records in every state and territory. They have traveled on horseback and on foot through the most sparsely-settled districts of our vast domain in search of mortgages, and have done their work so industriously and so thoroughly that we now have on file in Washington, as a result of their labor, the abstracts of about 9,000,000 mortgages. Some months before the inquiry was begun, Congress, and through Congress the public, was put in possession of the scope of the plan adopted. That plan, with hardly any change, has been successfully carried out. It comprised two distinct methods, one having the local records for the basis of operation, the other the population schedule, and hence the individual.

The two important features brought out in this inquiry are the amount of mortgages placed on record each year for ten years and the amount of the existing debt. It would, of course, be absurd to accept the amount of the uncanceled mortgages as the amount of debt in force. Such an exhibit would manifestly be a gross exaggeration unworthy of confidence. The extent of this defect in the records has been ascertained by the Census Office in 102 counties representing all parts of the country, and in 61 of these counties that have been tabulated the face of the uncanceled records exaggerates on the average the true amount of the debt by 71 per cent. It was therefore decided to make a transcript of the record in every case for ten years and ascertain therefrom the average life of a mortgage.

Preliminary experiments by special agents of the Census Office pointed to the use of the average life of mortgages, with an allowance for partial payments, as promising results much nearer the truth, near enough, at any rate, to be fairly conclusive as to the amount of existing indebtedness. This plan is approximately correct, and under perfectly uniform conditions would produce accurate results. An objection that can be raised against it is that mortgages are not uniform in amount and number recorded each year. These variations, however, when large amounts of debt are considered, are not as great as may be supposed, and under careful observation and corrective treatment lose much of their influence for error. If the average life of all mortgages under such circumstances is four years, and the total amount of the mortgages recorded within the last four years is taken as equivalent to the amount of indebtedness existing at the present time, it is evident that many paid mortgages created within the four years are included within the amount, and that many unpaid mortgages created more than four years ago are not included. In such cases it is true, if the average life of mortgages is correctly represented, that the mortgages of the life period of four years now paid are exactly equal to the mortgages made

previously to the life period and now unpaid, so that the total recorded debt of the life period stands for the amount of debt in force.

Our agents were therefore instructed to transcribe for every real estate mortgage acknowledged and received within the ten years ended December 31, 1889 (except mortgages made by public and quasi-public corporations), the following facts: The state and county in which the mortgaged real estate is situated; the year in which the acknowledgment was made; corporations, both as mortgagors and mortgagees, classified as savings banks, banks (including loan and trust companies, but not including savings banks), building and loan associations, insurance companies, mortgage corporations, and all others; the original amount of the debt; the actual rate of interest or, if not ascertainable from records, the customary rate at the time; the number of incumbered acres and city or village lots; and also, for the canceled mortgages of 1880-'83, the full dates of acknowledgment and cancellation. For the purpose of checking this inquiry special investigations were conducted in 102 counties well distributed throughout the United States, and representing every phase of American life and industry. In these counties the same facts were taken from the records as in other counties, and also for all uncanceled mortgages as far back in time as any appreciable number of them were found in force, the names and addresses of the parties. Schedules were sent these persons, and in each one of these counties an exact statement of existing debt has been compiled. The enormous cost would preclude this method for the whole country, but work in what is termed "inquiry" counties has been of great service in correcting the work elsewhere. The "inquiry" counties also reveal the purposes for which the debt was incurred. By far the largest proportion of real estate mortgage debt has been incurred to secure the purchase of land, and the cost of improvements stands second in importance. The security of purchase money is generally 50 to 75 per

cent of the real estate mortgage debt of the people of a county, and improvements generally represent from 10 to 20 per cent. of the debt.

The following table summarizes the results of this inquiry as far as possible to date :

	Alabama.	Iowa.	Kansas.	Tennessee.	Illinois.
Number of mortgages recorded during 1880-'89.....	93,828	520,448	654,243	98,282	612,249
Amount of mortgages recorded during 1880-'89.....	\$91,099,623	\$139,936,354	\$498,653,903	\$100,212,257	\$370,699,940
Number of mortgages in force, January 1, 1890.....	35,331	252,539	298,880	39,470	297,247
Amount of mortgages in force, January 1, 1890.. ..	\$39,027,983	\$190,774,171	\$243,146,826	\$40,421,396	\$384,299,180
Number of acres encumbered, January 1, 1890.....	6,008,636	16,312,176	26,590,795	3,035,816	10,751,244
Number of lots encumbered January 1, 1890.....	14,213	163,712	265,462	32,957	287,878
Number of acres encumbered during 1880-'89.....	16,175,153	33,864,721	58,510,089	7,269,279	21,578,919
Number of lots encumbered during 1880-'89.....	34,649	303,556	544,934	65,566	602,152
Percentages of debt recorded 1880-'89; in force January 1, 1890	42.84	45.41	48.76	40.34	44.14
Percentage of assessed acres encumbered January 1, 1890....	21.67	46.96	61.59	11.72	31.04
Equated life of mortgage (in years).....	2.73	4.92	3.38	2.81	4.02
Range of interest rates (per cent).....	1-40	1-20	1-60	1-12	1-18
Amount per capita of mortgages in force January 1, 1890....	\$26	\$104	\$170	\$23	\$100

So much for the inquiry relating to recorded real estate indebtedness. The result of the direct inquiry as to the debt on farms and homes is not yet complete. The average farm and home debt, shown by tabulation of partial returns from counties distributed throughout the Union, is \$1,288 for farms and \$924 for homes. If these averages hold good for the United States, there is an existing debt in force of \$2,500,000,000 on the farms and homes of the United States occupied by owners and incumbered. Only some rough results of this inquiry are now known. It is probable that the number of families occupying and owning mortgaged farms and homes does not exceed 2,250,000, leaving perhaps 10,250,000 families that hire their farms and homes or occupy and own them free of incumbrance. The total number of families occupying farms is supposed to be about 4,750,000, so that about 7,750,000 families occupy homes.

The exhaustive investigation made in connection with the Tenth Census as to the production of meat, cotton, tobacco, and the cereals, and likewise into forestry, renders it unnecessary that the present inquiry should be extended beyond the developments and other changes of the past ten years, and the principal features of the forthcoming agricultural report will accordingly consist of subjects that have never before had any prominent place in census investigation. Among these are horticulture, viticulture, irrigation, the production of sugar, and the peculiar conditions of farm occupancy which prevail in the southern states, all of which carry with them their own justification, horticulture being a subject of more or less importance in almost every state in the Union; viticulture, an interest that is rapidly coming into the front rank, especially in California and New York; the production of sugar, an industry that is now attracting a more than ordinary amount of attention; the cultivation of the soil by the freedmen of the South, a matter involving social and economic questions of far-reaching importance, and irrigation, the agency to which some of the most prosperous agricultural regions of the United States owe their

present productiveness, and the only method as yet by which a large portion of the arid belt can ever be successfully brought under cultivation. Probably the most important investigation that is entirely new is that of irrigation in the arid states and territories, the results of which are being presented in a series of bulletins that will aggregate not less than 300 pages, and be combined in a special report, with suitable maps and illustrations. The intricate question of farm occupancy in the South, the outcome of the former condition of slavery, is being carefully investigated, and an endeavor is being made to trace the almost invisible line which divides the farm laborer from the tenant farmer. While various minor products of the soil have been taken account of for the first time in each of the great divisions into which agriculture naturally falls, it is in horticulture that the work of the division is mainly broadened.

On the farm schedule of the Census of 1880 there were but twelve inquiries in the line of pomology. In preparing the agriculture schedule for the Eleventh Census, the questions relating to pomology were increased to fifty. The vineyard questions were increased to seven, but in view of a special investigation, nurseries remained at two. The success of this work may best be judged by the several interesting bulletins on viticulture, floriculture, nurseries, and seed and truck farms, already published. These inquiries have certainly cleared the way for similar work, and our horticulturists are not likely to accept in the future anything less than has been accomplished by the Eleventh Census. Without undertaking such an elaborate report on meat production as ten years ago, we have secured a correct enumeration of the range cattle and the usual returns of live stock on farms. In accordance with the Act of 1889 an attempt was made to secure statistics of live stock other than those on farms, that is, in cities, etc., but has not been very successful, though a report is in course of preparation on that subject.

In no branch of the Census work was the plan laid with greater care than in the division relating to manufactures. More than a

year before the enumeration, Mr. Frank R. Williams, who compiled the statistics of manufactures for the Tenth Census and who has charge of this work for the Eleventh Census, visited all the principal centers of industrial energy of the country, conferred with manufacturers, with the officers of trade associations, with economists, statisticians, and men of affairs. The schedules for every industry were prepared with the utmost caution, and new questions added only after mature consideration. The items of credit capital and borrowed capital, heretofore omitted, were asked for, and the returns are entirely satisfactory in nearly all lines of industry. We have been able to make separations between the so-called "productive" and "non-productive" forces, respectively, in order to ascertain the true proportion of labor and wages employed in actual production; and a classified wage table has been added, to show the number of persons employed at the various rates of wages paid. Additional inquiries have been incorporated to show, as nearly as possible, the actual cost of production. Success has attended all these improvements. The large increase in number employed, value of product, and capital invested, in the rough additions thus far made, leave little doubt of the thoroughness of the work. I regard the withdrawal of the schedules relating to manufactures from the regular enumerator as the emancipation of American industrial statistics. I am sure General Walker will be glad to learn that I took three times as many cities and towns out of the hands of the enumerators as he did in 1880, and the result has been most satisfactory. It might be well to state in this connection that by the provisions of the Census law the Superintendent of Census has authority, whenever he may deem it expedient, to withdraw the manufacturing schedules from the enumerators, and charge the collection of the requisite data upon experts and special agents, to be appointed without regard to locality. Under the authority thus conferred the collection of the statistics of manufactures in 1,040 cities and towns, without regard to population, was withdrawn from the

general enumeration, and the duty assigned to special agents appointed immediately after the completion of the count of the people. In all localities where the statistics were not withdrawn, as above noted, the returns have been collected by enumerators.

In the case of the following industries, special reports will be made by expert special agents charged with this duty, as noted in each case: chemical industry; clay and pottery products; coke and glass; cotton goods; distilled spirits used in the arts, manufactures, and medicine; electrical apparatus and appliances; their manufactures and uses; manufactured gas; iron and steel; mixed textiles; printing, publishing, and the periodical press; salt; shipbuilding; silk and silk goods; wool and worsted.

Special schedules have been prepared for each of the following industries, covering the general and technical details relating to each, which manufacturers engaged therein regarded as best adapted to elicit accurate information as to the existing conditions:

- No. 1. Agricultural implements.
- “ 2. Paper mills.
- “ 3. Boots and shoes.
- “ 4. Leather, tanned and curried, including morocco leather.
- “ 5. Lumber mills and saw mills.
- “ 6. Brick yards.
- “ 7. Flour and grist mills.
- “ 8. Cheese, butter, and condensed milk factories.
- “ 9. Slaughtering and meat packing.
- “ 10. Chemical manufactures.
- “ 11. Clay and pottery products.
- “ 12. Coke.
- “ 13. Cotton manufactures.
- “ 14. Dyeing and finishing of textiles.
- “ 15. Electrical industry.
- “ 16. Glass.
- “ 17. Manufactured gas.

- No. 18. Iron and steel.
“ 19. Printing, publishing, and the periodical press.
“ 20. Ship-building.
“ 21. Silk and silk goods.
“ 22. Wool manufactures.
“ 23. Hosiery and knit goods.
“ 24. Carriages and wagons.
“ 25. Salt works.
“ 26. Leather, patent and enameled.

Supplemental—distilled spirits used in the arts, manufactures and medicine.

In the case of all industries for which special schedules have not been provided, as above set forth, a general schedule of questions has been prepared, with a view to collecting data which will clearly show the general characteristics of each branch of manufactures to be reported on the general schedule.

A number of bulletins have been issued from this division, and I especially call attention to the one relating to the lumber interests of the three northwestern lumber states as a sample of excellent statistical work. [Extra Bulletin No. 5.]

Before the year closes a quarto volume of about twelve hundred pages, with illustrations and maps, will be issued from the Government Printing Office, and it will speak more eloquently than I can for the branch of the work relating to the mineral resources of the United States. This report has been prepared under the direction of Dr. David T. Day, and consists of papers from the following well-known experts:

Subject.	Author.	Number of Pages.
Manganese, Petroleum and Natural Gas...	Joseph D. Weeks.	164
Gold and Silver	Richard P. Rothwell.....	124
Coal.....	John H. Jones.....	80
Stone.....	William C. Day.....	68
Quicksilver.....	James B. Randol.....	66
Antimony, Asphaltum, Ozocerite, Gypsum, Infusorial Earth, Corundum, Millstones, Whetstones, Asbestos, Graphite, Soapstone, Barytes, Ocher, Fluorspar, Lithographic Stone, Sulphur, and Pyrites.	E. W. Parker.....	60
Iron Ores.....	John Birkinbine...	28
Copper, and Lead and Zinc...	Charles Kirchhoff.....	20
Precious Stones	George F. Kunz	10
Phosphate Rock...	Edward Willis.....	10
Aluminium.....	R. L. Packard.....	8
Mineral Waters...	Albert C. Peale.....	8
Mica.	L. J. Childs.....	4
Marl.....	Jefferson Middleton ..	2
Tin, Nickel and Cobalt, Chromic Iron Ore, Platinum, and Iridium,		18

From a statistical point of view we have undoubtedly made a decided step in advance in this branch of Census work. The increase during the decennium of the number of persons employed, quantity of product, and value of product, indicate that the work has been thoroughly done. The favorable reception of the bulletins by the scientific journals of this country and Europe has been alike gratifying to the experts in direct charge of the work and to the Census Office.

In the inquiry relating to fish and fisheries, we started with what is known as "a comprehensive plan," and came near going to pieces on that rock. It was intended that the inquiries should be more numerous and far-reaching than had been used in any previous Census. After a while, however, some changes were made

and the division put on a more practical basis. The present plan, and the one that will be carried out, in fact is being carried out, is the preparation and publication of fifteen reports, as follows :

1. Marine mammalia.
2. Fisheries of the Pacific coast.
3. Fisheries of the Great Lakes.
4. The Gulf fisheries.
5. The New England fisheries.
6. The South Atlantic fisheries.
7. The fisheries of the Middle states.
8. Carp culture in the North Atlantic states.
9. Carp culture in the South Atlantic states.
10. Carp culture in the South Central states.
11. Vessels engaged in the fisheries.
12. Carp culture in the Western states.
13. Carp culture in the North Central states.
14. Bulletin relating to the edible qualities of carp.
15. The inland fisheries of the United States.

Some of these reports are published, and others are now in type. The Fish Commission is giving the Census Office its hearty co-operation, and while the inquiry may have lost some of its original comprehensiveness and scope, it will have gained in statistical completeness and economic value.

Railroads, lake, ocean, river and canal transportation, express business, and street railroads comprised one division of the work of the Census Office, and under the direction of Prof. Henry C Adams, of Ann Arbor, we may expect most valuable results. Part of this work is now ready for the final volume, and all of it will be ready for the printer this year. We shall have complete railroad statistics for the ten years ended 1889, termed the decennial work, and we shall have likewise the complete work for the year ended June 30, 1890. For the first time we have gone into the question of street railways, with some marvelously interesting and valuable results. The same is true of the express business.

The attempt to secure statistics of transportation by water has been made for the first time by the Eleventh Census, so that the work must be largely considered experimental. That there existed an exceedingly large amount of information relative to transportation by water I am well aware, but when it came to securing and formulating that information we are met with those difficulties which always attach themselves to experimental work. What was sought for was the necessary figures and facts of equipment, tonnage, value, and ownership; the returns of trips made during the census year; the freight carried both in bulk and in detail of commodity; where that freight was carried to and the number of miles covered in such transportation; the expenses and profits of the work of transportation, and a particular account of the officers and crew employed, with the wages paid and length of employment. In fact, everything was sought for that would enable the Census Office to furnish a complete presentation of all that was worth knowing concerning the industry of transportation by water as conducted by American craft. These statistics, it should be understood, do not only refer to the vessels engaged in the freight and passenger traffic, but they cover every class of floating construction, from the push boat on the Little Kanawha to an Atlantic liner, and from a barge on the Dismal Swamp canal to a steamer trading with the Orient.

In order to secure this information, complete lists were made of every class of vessels; over 40,000 schedules of inquiry were sent out by an organized force of clerks to the various vessel owners; incorrect or insufficient returns were remedied whenever possible by correspondence; and wherever these means were found insufficient special agents were dispatched to work in the field.

The work of gathering the information was closed in July last, and since that time experts have been employed in segregating and compiling the vast amount of unclassified information. Some idea of the progress of the work may be gathered from the bulletins already published on the subject.

As in the transportation statistics we have given the statistics of the fire, marine, and inland insurance companies for ten years. The work is all completed. Of the old line life insurance companies, the statistics have been gathered and the data prepared for the census year, and the results are in process of tabulation. The statistics of the assessment and co-operative insurance companies (fire and life), the fraternal and independent beneficiary organizations, miscellaneous insurance companies, and the fire department and water supply of the United States have also been gathered. This work has been in charge of the expert who prepared the data ten years ago, and will be completed during the coming year.

The work of taking the census of Alaska and of the Indians has been prosecuted successfully. The final report on the Indians is now ready for the printer, and the report on Alaska will be finished in December, all the material having been collected.

The census of the Indians embraced two propositions, as called for in the act authorizing the present census the first was their enumeration; the second, a report on their condition. A bulletin, No. 25, was issued as early as January 29, 1891, giving the approximate census. For the enumeration of fifty-three reservations, the United States Indian agents were appointed enumerators. A corps of special agents was also appointed, who visited each reservation, and saw that the census was properly taken or had been, and made a report on the condition of the Indians of each reservation.

The five civilized tribes were enumerated by Indian and white enumerators under the charge of a special agent for each of the tribes, who also reported on their condition. A very large white and colored population was found in the five tribes, equal to that of several of the smaller states of the Union. The Six Nations of New York were enumerated and reported by a special agent. This work required almost eleven months. The Cherokees of North Carolina were also enumerated by a special agent. The Moqui Pueblos and Pueblos were also

specially reported on. A series of illustrations were made with brush and pencil, and also by the aid of the camera, which will give an exhaustive idea of the actual condition of the Indians in 1890. Seven artists of standing were appointed special agents, who contributed much toward making this Census a success. The Indians taxed, or those living off a reservation, or out of tribal relations, were also enumerated by the regular enumerators. The enumeration of the Indians included some 30 states and territories, and beside employing some hundreds of the regular enumerators, there were 94 Indian agent enumerators and special agents in the service. The work was a serious problem, but under the able direction of Thomas Donaldson, Esq. has been satisfactorily completed to the point of publication. Four extra bulletins are now under way.

The list of names of all tribal Indians (excepting those of two tribes) is for the first time in any census in the Census Office, and in many cases both the Indian and the white names are given. The scope of the work was large, but practical, and the result has been satisfactory thus far. It embraces age, wealth, resources, and all items of an economical nature. The schedules for Indian enumeration were quite different from those used in other census work, being more simple.

Besides a complete enumeration of the Alaskan population, Mr. Petroff, who again undertook the Alaskan work, will give an exhaustive review of Alaskan commerce, and I have obtained a number of excellent monographs, written by intelligent residents of Alaska, descriptive of their sections of the territory. The statistics of fisheries and of mining have also been collected. The entire report will be both reliable and interesting.

Having rapidly passed over the main features of the administration and organization of the Census Office, and having pointed out wherein the Eleventh differs from previous censuses, I will close with a brief summary of these differences, and a plea for a permanent Census Bureau. The Eleventh Census will be more

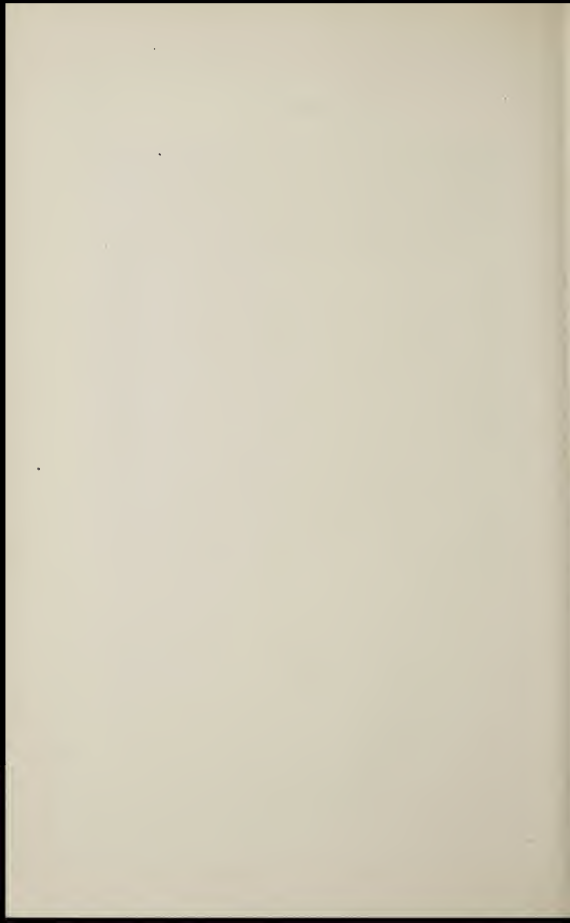
statistical and deal less with our latent resources and the technology of our industries than the Tenth did. It includes in its scope several new features, such as the investigation into private and corporate indebtedness, the special inquiry relating to the soldiers of the late war and the widows of veterans. Several new questions were added to the population schedule, which, as I have shown, will throw light upon important questions. A report has been made upon the condition of the Indians, and valuable reports on the statistics of education, churches, and the fisheries are nearly completed. To this extent we have undoubtedly taken a decided step ahead of other censuses. The population work has been strengthened. I have no reason to doubt that the enumeration of the people was fully equal to the enumeration of the Tenth Census, and that enumeration could not be excelled under the present system. The tabulation, as I have shown at length, has been improved, and the classification greatly extended. Facts were collected in 1870 and 1880, but never tabulated; but their counterpart to date will find their way into the current volumes. As five-sixths of all my experts and chiefs had experience in the Tenth Census, the office has benefited by their experience. In the special work, healthy statistical advancement has been made all along the line. We did not attempt the impossible. We reduced the number of questions whenever practicable. We confined ourselves strictly to the salient points. We did not try to be too original. We were not too proud to take up the plans where our brethren of the Tenth Census laid them down. We did not enlarge the scope, but often condensed it. In this way we strengthened our vital statistics by the five-year registration work; we made it possible to secure correct schedules of the special classes by institution enumerators; we brought the electrical tabulation, as Mr. Wines has shown us, to bear on the statistics of crime, pauperism, and benevolence; we discarded all but the essential questions in the educational schedules; we reduced the work relating to religious bodies to a point where the preachers and ecclesiastical

officers would answer the questions ; we strengthened the wealth, debt, and taxation work at every point ; we added several new and important inquiries to the agricultural and horticultural statistics, and included subjects omitted by all previous censuses ; we trebled the number of places in which the manufacturing statistics were withdrawn from the enumerators and placed the collection in the hands of competent special agents, paid by the day, and brought every expert under the control of a central head at Washington, so there could be no over-lapping ; we applied the same method to the statistics of the mineral resources ; we made the inquiry relating to fish and fisheries more statistical ; we added several new and important features to the statistics of transportation ; we included the ten years' work and the fraternal and independent beneficiary assemblies in the insurance branch ; we made a complete report of the condition of all the Indians, and we have kept up the reputation of the Tenth Census on the report on the population and wealth of Alaska. And with all these inquiries the word failure cannot be applied to one investigation.

Having done all this, and feeling, as we do, proud of some of our achievements, I give you the honest judgment of my co-laborers when I say that much more remains to be done—that many imperfections exist. These imperfections are not the result of dishonest work, of incompetent work, of slovenly work ; they are the result of the system under which the census is taken. Time enough is not allowed to start the machinery of this tremendous inquiry, embracing, as I have shown you, so many subjects and such infinite detail. We have work here, which, if properly done, would be sufficient to make a life study for thirty or fifty of our brightest specialists, literally dumped upon the shoulders of a man drawn from other occupations of life, and instructed by act of Congress to raise an army of sixty thousand raw recruits and complete the task. If he takes time to do it, the public becomes impatient and declares it drags everlastingly. If he puts it through rapidly, croakers rise up all over the land and declare the work

cannot be correct. The remedy for all this is a permanent Census Bureau, and already the intelligent public sentiment of all political parties is crystallizing in this direction. People are beginning to realize that the faults and errors of this Census are not the shortcomings of any one man, but of a system.

In accordance with a resolution of the Senate I am preparing a report and bill for a permanent Census Bureau, which, if enacted, will remedy much of the decennial census trouble, and put a great public work on a business basis. Such a Bureau would not only be an immense saving to the government, especially since the introduction of mechanical tabulation, but it would keep active and competent minds continually working out improvements in census methods; it would keep together a nucleus of trained census clerks and capable mathematicians; it would admit of certain branches of work being done annually at a cost of a few million circulars and a small amount expended for tabulation; it would give sufficient time to perfect the work of enumeration, and it would give general satisfaction to all who are earnestly in search of correct statistics of our nation's population and wealth. As statisticians, I hope you will help this idea along. It is growing with our statesmen. It is not a party question, and its success will be beneficial to all people.



APPENDIX.

BULLETINS THAT HAVE BEEN PUBLISHED OR WILL BE PUBLISHED BY THE CONVENING OF CONGRESS IN DECEMBER.

AGRICULTURE :	SUBJECTS.	Number.
	Viticulture.....	38
	Truck Farming.....	41
	Commercial Floriculture.....	59
	Nurseries.. ..	109
	Seed Farms.....	111
	Production of Hops	(a)
	Horses, Mules, and Asses on Farms....	103
	Live Stock on Ranges.....	117
	Irrigation in Arizona.....	35
	Irrigation in New Mexico.....	60
	Irrigation in Utah	85
	Irrigation in Wyoming.....	107
	Tobacco.....	Extra No. 13
ALASKA :		
	Letter of Ivan Petroff on Census of.....	15
	Population of Alaska....	30
	Wealth and Resources of.....	39
CHURCHES :		
	United Presbyterian of North America, Church of the New Jerusalem (Swedenborgian), Catholic Apostolic, Salva- tion Army, Advent Christian, Evangelical Adventist, Life and Advent Union (Adventists), Seventh-day Baptists, Seventh-day Baptists, (German), General Six	18

(a) Number not yet determined.

SUBJECTS.	Number.
CHURCHES—Continued :	
Principle Baptists, Christian Church South, Schwenkfeldians, Theosophical Society, and Brethren in Christ (River Brethren).	
Cumberland Presbyterian, Church of Jesus Christ of Latter-day Saints (Mormons), Reformed Episcopal, Unitas Fratrum or Moravian, German Evangelical Synod of North America, German Evangelical Protestant of North America, and Plymouth Brethren.	70
Roman Catholic, Greek Catholic (Uniates), Russian Orthodox, Greek Orthodox, Armenian, Old Catholic, and Reformed Catholic.	101
Mennonite, Bruederhof Mennonite, Amish Mennonite, Old Amish Mennonite, Apostolic Mennonites, Reformed Mennonite, General Conference Mennonite, Church of God in Christ, Old (Wisler) Mennonites, Bundes Conference der Mennoniten Brueder-Gemeinde, Defenceless Mennonites, Mennonite Brethren in Christ, Brethren or Dunkards (Conservative), Brethren or Dunkards (Progressive), African Methodist Episcopal, Wesleyan Methodist Connection, African Union Methodist Protestant, Independent Churches of Christ in Christian Union, Temple Society, Church of God, Reorganized Church of Jesus Christ of Latter-day Saints, Society of Shakers, Amana Society, Bruederhof Mennonite Society, Harmony Society, Society of Separatists, New Icaria Society, and Society of Altruists.	131
EDUCATION :	
Preliminary Statistics for Louisiana, New Hampshire, Wisconsin, and cities of 10,000 inhabitants and over; also, Mormon schools in Arizona, Idaho, and Utah.	17

SUBJECTS.

Number.

EDUCATION—Continued :

Statistics for Arizona, California, Connecticut, District of Columbia, Maine, Maryland, Massachusetts, Montana, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Wyoming, and eighty-three cities.....	36
Statistics for Alaska, Arkansas, Delaware, Illinois, Iowa, Michigan, Minnesota, Mississippi, New Mexico, New York, North Dakota, Oregon, Texas, Utah, Washington, West Virginia, and forty-two cities.....	53
Statistics for Alabama, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Missouri, Nebraska, Nevada, New Jersey, Tennessee, and one hundred and five cities..	84
School Enrollment	Extra No. 11

FARMS, HOMES, AND MORTGAGES :

Letter to Secretary of the Interior on.....	5
Alabama and Iowa.....	Extra No. 3
Kansas.....	Extra No. 14
Tennessee.....	Extra No. (a)

FISHERIES :

List of Products of.....	2
Marine Mammalia.....	123

GEOGRAPHICAL :

Supervisors' Districts.....	1
Names and Addresses of Supervisors'.....	4
Areas of States and Counties.....	23
Center of Population.....	34
Population by Drainage Basins.....	47
Population with Reference to Mean Annual Temperature..	33
Population in Accordance with Mean Annual Rainfall ...	32
Population in Accordance with Mean Relative Humidity..	44

(a) Number not yet determined.

SUBJECTS.	Number.
GEOGRAPHICAL—Continued :	
Population in Accordance with Latitude and Longitude..	63
Population in Accordance with Topographical Features..	65
Population in Accordance with Altitude.....	89
Increase and Decrease of Population..	Extra No. 1
Density of Population.....	Extra No. 2
INDIANS :	
In the United States (except Alaska) Taxed or Taxable and Untaxed.....	25
INSURANCE :	
Alabama to Florida.....	Extra No. 6
Georgia to Maine.....	Extra No. 7
Maryland to New Hampshire	Extra No. 8
New Jersey to Tennessee.....	Extra No. 9
MANUFACTURES :	
Cities and Towns in which Statistics will be collected by Special Agents.....	3
Production of Pig Iron.....	9
Production of Steel.....	13
Distilled Spirits used in the Arts, Manufactures, and Medicine.....	22
Statistics of District of Columbia.....	(a)
Lumber and Saw Mills.....	Extra No. 5
MINES AND MINING :	
Quicksilver Mines and Reduction Works	10
Precious Stones and Diamond Cutting.....	49
Production of Slate.....	8
Production of Granite in the United States.....	45
Production of Mica.....	61
Production of Manganese Ores.....	68

(a) Number not yet determined.

SUBJECTS.

Number.

MINES AND MINING—Continued :

Production of Bluestone	71
Production of Sandstone.....	73
Production of Petroleum.....	76
Production of Limestone	78
Production of Aluminium.....	79
Production of Lead and Zinc.....	80
Production of Copper.....	96
Production of Iron Ore.....	113
Minor Mineral Industries.....	75
Anthracite Coal Fields of Pennsylvania	20
Production of Coal in Maryland	26
Production of Coal in Alabama.....	27
Production of Coal west of the Mississippi.....	43
Production of Bituminous Coal in Pennsylvania	67
Production of Coal in Illinois, Ohio, Indiana, and Michigan	74
Coal product of West Virginia, Kentucky, Tennessee, Virginia, Georgia, and North Carolina.....	94
Mineral Waters.....	Extra No. 4
Coal Production.....	“ “ 10
Marble Quarrying Industry—Monograph.....	

PAUPERISM AND CRIME :

Convicts in Penitentiaries.....	31
Sentences of Convicts in Penitentiaries.....	106
Inmates of Juvenile Reformatories.....	72
Paupers in Almshouses.....	90
Prisoners in County Jails.....	95

POPULATION :

First Count—62,480,540.....	12
Official Count—62,622,250.....	16
By Race in the South and in California.....	48
Of Cities having 8,000 Inhabitants or over.....	52

(a) Number not yet determined.

SUBJECTS.	Number.
POPULATION—Continued :	
North and South Atlantic Divisions	37
North Central Division.....	40
South Central and Western Divisions.....	42
Urban Population, Extra No. 12.....	
Minor Civil Divisions :	
Alabama.....	(a)
Arizona.....	93
Arkansas.....	112
California.....	(a)
Colorado.....	127
Connecticut.....	58
Delaware.....	57
Florida	(a)
Georgia.....	124
Idaho... ..	86
Illinois.....	(a)
Indiana.....	108
Iowa	99
Kansas.....	114
Kentucky.....	(a)
Louisiana.... ..	(a)
Maine.....	56
Maryland and the District of Columbia.....	(a)
Massachusetts.....	24
Michigan.....	97
Minnesota.....	(a)
Mississippi.....	125
Missouri.....	119
Montana.....	(a)
Nebraska.....	126
Nevada.....	87

(a) Number not yet determined.

SUBJECTS.

Number.

POPULATION—Continued :

Miner Civil Divisions—Continued :

New Hampshire.....	21
New Jersey.....	69
New Mexico.....	(a)
New York.. ..	116
North Carolina.....	122
North Dakota.....	(a)
Ohio.....	121
Oklahoma.....	(a)
Oregon.....	(a)
Pennsylvania.....	105
Rhode Island.....	50
South Carolina.....	77
South Dakota.....	(a)
Tennessee.....	(a)
Texas.....	(a)
Utah.....	118
Vermont.....	51
Virginia	83
Washington.....	110
West Virginia.....	102
Wisconsin.....	91
Wyoming.....	92

TRANSPORTATION :

Rapid Transit in Cities of over 50,000 Inhabitants.....	11
Freight Traffic on the Great Lakes.....	28
Floating Equipment on the Great Lakes.....	66
Changes in Floating Equipment on the Great Lakes since 1886.....	29
On the Ohio river and its tributaries above Cincinnati....	88
By water on the Pacific coast, considered as an Industry..	(a)

(a) Number not yet determined.

SUBJECTS.	Number.
TRANSPORTATION—Continued :	
Relative Economy of Cable, Electric and Animal Motive Power for Street Railways	55
Railways—Group I : New England States	46
Railways—Group II : New York, New Jersey, Pennsylvania, Delaware, Maryland, and part of West Virginia ..	115
Railways—Group III : Ohio, Indiana, Southern Peninsula of Michigan, and parts of Pennsylvania and New York ..	120
Railways—Group IV : Virginia, West Virginia, North Carolina and South Carolina	(a)
VITAL STATISTICS :	
Vital Statistics of the Jews	19
Social Statistics of Cities	100
Asylums for the Insane	62
Asylums for the Blind	81
Schools for the Deaf	(a)
WEALTH, DEBT AND TAXATION :	
Financial Condition of Counties	6
State Indebtedness : 1890 and 1880	7
Financial Condition of Municipalities (withdrawn from circulation)	14
Foreign, National, State and County Indebtness	64
Assessed Valuation of Property	104
Receipts and Expenditures of 100 Cities	82
Public School Finances in Arkansas, California, Connecticut, Idaho, Kansas, Louisiana, New Hampshire, North Carolina, Vermont and Washington	54
Public School Finances in Georgia, Illinois, Maryland, Michigan, Minnesota, Mississippi, Nevada, North Dakota, Rhode Island, South Carolina and Wisconsin ..	98
Public School Finances in Alabama, Colorado, Florida, Massachusetts, Montana, Nebraska, Ohio, Oregon, Tennessee and Utah	(a)

(a) Number not yet determined.

523, 14 53
PAYMENT OF INDIAN DEPREDAATION CLAIMS.

HEARING

BEFORE THE

U. S. SENATE COMMITTEE ON INDIAN AFFAIRS

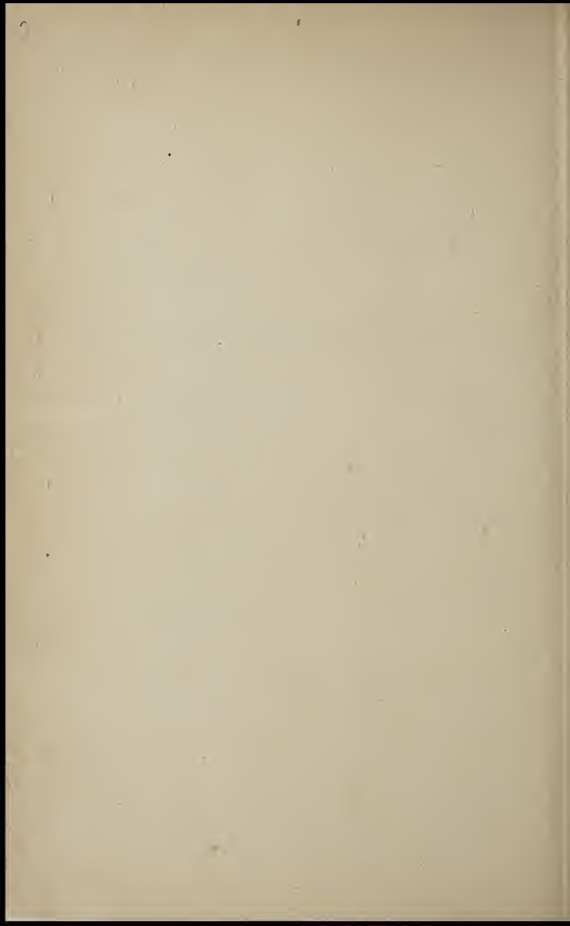
(THE HOUSE OF REPRESENTATIVES COMMITTEE ON INDIAN
AFFAIRS BEING PRESENT BY INVITATION)

FRIDAY, DECEMBER 16, 1892,

ON THE SUBJECT OF

THE PAYMENT OF INDIAN DEPREDAATION CLAIMS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1892.



HEARING BEFORE THE SENATE COMMITTEE ON INDIAN AFFAIRS.

STATEMENT OF HON. JOHN W. NOBLE, SECRETARY OF THE INTERIOR.

MR. CHAIRMAN AND GENTLEMEN: I have appeared before the joint committee for the purpose of expressing to you my interest as an officer, having more immediate control of the Indians, in the payments to be made upon judgments of the Court of Claims for depredations committed heretofore by the several tribes, and to present to the committee some statistics in relation to these claims, and certain suggestions that I think timely. I shall leave it to the chairman of the Cherokee commission, Governor Jerome, and his associate, Judge Sayre, to explain these matters more at length, and I am glad to have present with us also the honorable Secretary of the Treasury, who was a member of the Sioux Commission, and thus has become interested in the general question as to how the payment of these claims ought to be made. The occasion for this interest being greater at this time arises from the fact that by recent act of Congress the Court of Claims has been given jurisdiction to adjudge these depredation claims that have arisen against the various tribes from the beginning to the present time, and is proceeding vigorously in the investigation and consequent rendition of judgments; while at the same time there have also recently been purchased from many different tribes lands for which the Commissions, appointed to negotiate with them, have promised large sums of money that are either being paid to them in hand or deposited in the Treasury for their benefit. The statute in regard to these judgments requires that they should be paid as follows:

SEC. 6. That the amount of any judgment so rendered against any tribe of Indians shall be charged against the tribe by which, or by members of which, the court shall find that the depredation was committed, and shall be deducted and paid in the following manner: First, from annuities due said tribe from the United States; second, if no annuities are due or available, then from any other funds due said tribe from the United States, arising from the sale of their lands or otherwise; third, if no such funds are due or available, then from any appropriation for the benefit of said tribe, other than appropriations for their current and necessary support, subsistence, and education; and fourth, if no such annuity, fund, or appropriation is due or available, then the amount of the judgment shall be paid from the Treasury of the United States: *Provided*, That any amount so paid from the Treasury of the United States shall remain a charge against such tribe and shall be deducted from any annuity, fund, or appropriation hereinbefore designated which may hereafter become due from the United States to such tribe.

Many of the tribes against whom judgments are entered have not yet advanced far enough or had their lands in severalty long enough

to be able to live by their own labor and the products of the soil: they are dependent in a large degree upon the money thus provided for them—the annuities arising from their trust funds—and upon the rations of the Government. If the money necessary to pay the judgments upon those claims is taken from the Indians, upon the order of the Secretary of the Interior, the result must be a rapid diminution of their resources in money, which they will immediately feel. Most of the depredation claims upon which these judgments are being rendered have come down from many years past, some having originated as early as 1812; a million or more having accrued in 1836; a million and a quarter, at least, in 1861, and as much more in 1862, and nearly a million and three-quarters in 1864, and more than two millions in 1866; and with very large sums during each of the intermediate years and subsequently; so that there were pending when the reference was made to the Court of Claims claims to the number of nearly 8,000 and aggregating in the amount demanded over \$25,500,000. The trust funds of all the tribes other than the five civilized tribes amount to \$16,246,000 and over, so that it appears at a glance that it will take far more than the trust money of the Indians to pay any considerable percentage of the amount of claims pending against them. A large part of these claims is against the tribes the least able to sustain the loss, as, for instance, against the Comanches there are 1,300 claims, aggregating over \$4,000,000; against the Apaches over 900, aggregating \$4,000,000; against the Cheyennes over 600, aggregating over \$2,000,000; and against the Sioux 670, aggregating nearly \$3,000,000.

I had the honor to present to the Congress of the United States on June 24, 1892, a letter in which was set forth the claims for the different years, with the amounts thereof, the trust funds of the different tribes, and a separate statement of each of the claims against the several tribes. At that time there had been rendered already judgments in the Court of Claims for very considerable sums, amounting to \$479,067.62, as appeared from the report of the Attorney-General to the President of the Senate, of July 7, 1892. In my letter I stated that:

In view of the daily adjudications of the Court of Claims against the tribes, and the necessary applications of the moneys of these tribes to the payment thereof, I deem it my official duty to express my anxiety lest this may soon lead to commotion and eventual outbreaks. In my judgment, a discretion as to immediate payment of these judgments should be vested in some executive officer.

I therein submitted an amendment which has been substantially incorporated in an appropriation that was made to pay the judgments rendered to the amount just mentioned. As to that particular appropriation it was provided as follows:

SEC. 5. For payment of judgments of the Court of Claims in Indian depredation cases, four hundred and seventy-eight thousand two hundred and fifty-two dollars and sixty-two cents, or so much thereof as may be necessary to pay and discharge such judgments as have been rendered against the United States, after the deductions required to be made under the provisions of section six of the act approved March 3, 1892, entitled "An act to provide for the adjustment and payment of claims arising from Indian depredations," shall have been ascertained and duly certified by the Secretary of the Interior to the Secretary of Treasury, which certification shall be made as soon as practicable after the passage of this act, and such deductions shall be made according to the discretion of the Secretary of the Interior, having due regard to the educational and other necessary requirements of the tribe or tribes affected, and the amounts paid shall be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian service.

In the exercise of the discretion vested in me I have paid all of the \$479,000 to the different parties entitled thereto; and directed that the same should "be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian service," except in the case of the Osages who have large amounts of money to their credit.

For the time being this action relieved the situation, but we are now approaching a similar condition, for the Court of Claims, since June 30, 1892, has rendered other judgments (a list of which is hereto annexed) against the different tribes to the amount of \$91,828.86 and is still proceeding to render more. These judgments against the Sioux now amount to \$11,577.25; against the Cheyennes and Arapahoes, \$19,906.99; and against the Kiowas and Comanches, \$7,776.

These depredations were committed by a former generation of the Indians of the different tribes. They have long slept, and substantially have been forgotten by the Indians, and we might also say, moreover, forgotten by our own country for many years, because, although adjusted by the Commissioner of Indian Affairs, and approved in many instances by the Secretary of the Interior, and certified to Congress, for nearly twenty years no action was taken upon them. They are now coming out of the Court of Claims in judgments for the whole accumulated sum of these many years, making the aggregate of money to be paid so vast that it will suddenly and irretrievably strip from the Indians the resources of their trust funds, and the consideration paid and to be paid for their lands promised them of recent date, unless Congress will again make an appropriation to enable the Secretary to pay the claims and hold the Indian funds responsible hereafter.

It has been my thought that the time for the repayment to the United States would be when the Indians had so far advanced on the path of civilization and productive industry as to become entitled to the reserves in the treasury. Then we might take from them what they have justly incurred for their depredations to reimburse the United States and at the same time avoid inflicting upon them injuries from which they could not recover. To take the money from them just now, when these tribes have recently been promised the amounts for their lands, would be looked upon then, certainly, as an act of bad faith. They were given to understand in each instance that if they sold their lands they should receive the money. Nothing was said about depredation claims, or if anything was said they were assured it would not be taken for this purpose. It would be, it seems to me, not only impolitic now, but dangerous to apply the money, for instance of the Cheyennes and Arapahoes, recently promised them, to pay such vast sums as are being adjudged against them. It would be likewise deemed intolerable by the Kiowas to have their money taken, and I am quite confident it would be looked upon as an act of bad faith by the Sioux if the money set apart for them were appropriated for the payment of these creditors.

The CHAIRMAN. Do you understand, when these commissioners make an agreement with the Indians to purchase of them a tract of land and agree to give them a certain sum of money to be used in a specific manner, that agreement being subsequently ratified by Congress, that it is possible for us to take that fund and devote it to the payment of damages arising from these depredations?

Secretary NOBLE. Not at all. I think it is an appropriation of the money, is a part of the contract, so that it would have to take the course designated.

The CHAIRMAN. That would seem to be very clear to me as to all contracts ratified after the depredations act was passed; but how about agreements that were ratified before that? Do you think the depredations act would authorize the defeat of a specific trust?

Secretary NOBLE. In my judgment there would be no such authority on the part of the Government, after contract made with an Indian tribe that certain money should be paid to them or for them in a certain way.

The CHAIRMAN. Take the Osages, for instance, who have a large trust fund which the Government holds for a specific purpose, and suppose a depredation case arose against that tribe; do you think that law would authorize the application of a portion of that trust fund to the payment of that depredation claim?

Secretary NOBLE. I was speaking more particularly, Mr. Chairman, with reference to contracts made for the purchase of lands. In relation to a large trust fund like that of the Osages, established years ago, I would have to have the circumstances of the particular case before me in order to decide properly. I believe that if an Indian tribe has a large fund in the hands of the Government, that is not absolutely necessary to the existence of that tribe or concerning which it has not made an express agreement that it shall be applied as a consideration for something, it would be within the power of the United States to apply it in payment of a tribal debt; but I would not answer as to the Osages without a consideration of their case.

Since you have brought that matter up, I want to say that, in administering the Department which has jurisdiction over these Indians, with whom there is more or less trouble all the time, I have considered it my duty to exercise such discretion in the application of any of these moneys, even without legislation, as would not bring on an Indian war that would be more expensive than the whole amount of any claim of that kind that could be adjudged. It therefore becomes a question of judgment as to how far you can go. The fair understanding between the parties is that which should be consummated between the Government and the Indian tribes.

One of the commissioners has suggested to me a question with which you may have to deal, and so I will present it, though I do not know but he can present it better. I do not know whether he feels like doing so; I do. You have elevated these Indians, the Cheyennes and Arapahoes, into citizenship, by virtue of these allotments. They have the same right in every particular, according to the act which goes by the name of your honorable chairman (the Dawes act), as any other citizens of our country. How is it that you are hereafter or are now proceeding to render judgments against them in the Court of Claims in cases where they are not parties individually and yet where they have a distinct interest in the particular fund?

Another point upon which I desire to address you is the condition of the Cherokee Commission. That commission has concluded its labors as to the more immediate business brought before it, but there are a few tribes in the Cherokee Outlet that are yet to be negotiated with for the purchase of their lands. The Choctaws, Chickasaws, Cherokees, and Seminoles in the Indian Territory have vast bodies of land which the United States may or may not desire to purchase. But these smaller tribes in the Cherokee Outlet must certainly be dealt with at as early a day as possible for the purpose of having them surrender their surplus lands and take lands in severalty.

The CHAIRMAN. What tribes are those?

Secretary NOBLE. They are the Pawnees, Poncas, Osages, Kaws, Otoes and Missouriias, small tribes holding very small reservations, but which, unless they are disposed of, would be an obstacle to the advancement of white settlement through at least that portion of the outlet or strip. I want merely to draw your attention to that fact so that you may, if this commission is to go on with its work, recommend the necessary appropriation. It is a matter upon which I make no recommendation further than to suggest to you that it ought to be disposed of. As you are aware, the commission has been very industrious, has done a vast amount of work, and brought to the attention of Congress a number of agreements upon which Congress has acted in part, and in part is still considering.

The exhibits presented by the Secretary are as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 24, 1892.

SIR: The condition of affairs that confronts this Department upon an endeavor to carry out the provisions of "An act to provide for the adjudication and payment of claims arising from Indian depredations, approved March 3, 1891" (26 Stats., 851), requires, in my judgment, early consideration by Congress.

In my annual report I called attention to the amount of these claims as reported by the Commissioner of Indian Affairs; they aggregate in number 7,985, and amount to \$25,589,006. The following table shows the amounts claimed from the several tribes:

Tribes.	No.	Amount.	Tribes.	No.	Amount.
Comanche.....	1,307	\$4,056,639	Cow Creek.....	25	\$30,151
Apache.....	986	4,186,490	Ponca.....	25	38,621
Creek.....	965	1,195,978	Pottawatomie.....	23	7,887
Cheyenne.....	653	2,394,382	Oregon.....	29	133,613
Siox.....	670	2,900,415	Sac and Fox.....	20	270,145
Navajo.....	645	2,382,109	Yakama.....	20	85,793
Kiowa.....	334	1,447,502	Wichita.....	17	6,821
Chippewa.....	187	168,835	Crow.....	18	35,670
Pawnee.....	170	216,170	Payallup.....	12	14,145
Osage.....	160	227,115	Omaha.....	11	4,067
Nez Percés.....	161	365,588	Modoc.....	11	34,250
Ute.....	157	525,233	Cayuse.....	13	43,009
Rogue River.....	137	434,796	Shoshone.....	11	57,997
Bannack.....	134	375,028	Caddo.....	12	37,240
California Indians.....	154	884,098	Walla Walla.....	9	67,253
Arapaho.....	70	297,308	Coquille.....	7	12,027
Nisqually.....	66	118,109	Skaquamish.....	7	3,676
Winnebago.....	58	73,251	Pima and Maricopa.....	6	9,752
Koechie.....	52	55,365	Flatheads.....	6	11,505
Klikitat.....	50	138,678	Menomonee.....	6	580
Washington Indians.....	48	84,527	Ilualapai.....	6	53,819
Blackfeet.....	41	217,701	Otoe.....	5	3,564
Kansas or Kaw.....	36	65,261	Eluba.....	3	398
Plute.....	41	368,315	Iowa.....	3	252
Cherokee.....	30	85,520	Prairie Indians.....	3	13,325
Southern refugee Indians.....	30	6,150	Lipan.....	10	52,090
Kickapoo.....	53	302,351	Pend d'Oreille.....	3	1,740
Snake.....	39	153,318			
	7,434	23,726,322		321	1,029,389
				7,434	23,726,322
Miscellaneous and unknown tribes.....				7,755	24,755,711
Committed by white persons, including United States soldiers, emigrants, and rebels.....				142	519,350
				88	322,936
Total.....				7,985	25,589,006

PAYMENT OF INDIAN DEPREDEATION CLAIMS.

Years in which the depredations were committed.

Year.	No.	Amount.	Year.	No.	Amount.	Year.	No.	Amount.
1812.....	1	\$7,548	1853.....	79	\$244,340	1873.....	144	\$405,303
1821.....	1	5,770	1854.....	87	326,298	1874.....	134	358,511
1832.....	2	235	1855.....	230	722,519	1875.....	63	167,601
1833.....	4	1,155	1856.....	231	602,478	1876.....	45	145,209
1834.....	4	2,381	1857.....	131	299,261	1877.....	194	419,575
1835.....	25	11,206	1858.....	154	317,568	1878.....	305	667,458
1836.....	975	1,150,386	1859.....	191	408,981	1879.....	80	166,598
1837.....	26	8,876	1860.....	211	776,556	1880.....	250	1,148,950*
1838.....	8	1,332	1861.....	182	1,275,152	1881.....	118	349,146
1839.....	4	1,815	1862.....	363	1,249,918	1882.....	41	109,418
1843.....	3	264,240	1863.....	147	497,704	1883.....	13	103,261
1844.....	3	4,205	1864.....	300	1,793,204	1884.....	24	126,946
1845.....	2	13,320	1865.....	403	1,599,218	1885.....	88	118,267
1846.....	4	68,866	1866.....	443	2,157,606	1886.....	12	17,438
1847.....	55	223,000	1867.....	536	1,962,370	1887.....	12	14,171
1848.....	28	168,393	1868.....	371	1,959,296	1888.....	3	675
1849.....	32	222,054	1869.....	265	613,157	1889.....	9	8,788
1850.....	27	176,797	1870.....	185	650,925	1890.....	5	1,966
1851.....	68	244,723	1871.....	270	696,248			
1852.....	69	341,428	1872.....					
	1,342	2,917,725		5,103	18,342,042		1,540	4,329,239
							5,103	18,342,042
							1,342	2,917,725
Total.....							7,985	25,589,006

Trust funds of tribes other than the five civilized tribes.

Tribes.	Principal.	Tribes.	Principal.
Cheyennes and Arapahoes.....	\$1,000,000.00	Sac and Fox of the Missouri.....	\$21,659.12
Chippewa and Christian Indians.....	42,560.36	Sac and Fox of Mississippi.....	55,058.21
Delawares.....	874,186.54	Sac and Fox of Oklahoma.....	300,000.00
Eastern Shawnees.....	9,079.12	Santee Sioux.....	20,000.00
Iowas.....	171,543.37	Senecas.....	40,979.60
Kansas.....	27,174.41	Senecas, Tonawanda band.....	86,950.00
Kaskaskias and Peorias, etc.....	52,000.00	Senecas and Shawnees.....	15,140.42
Kickapoos.....	115,727.01	Shawnees.....	1,985.65
L'Anse and Vieux de Sert Indians.....	20,000.00	Shoshones and Bannocks.....	13,621.04
Menomonees.....	155,039.38	Sissetons and Wahpetons.....	1,699,800.00
Osages.....	8,295,079.69	Stockbridges.....	75,988.60
Omahas.....	182,324.08	Umatillas.....	55,270.44
Otoes and Missourians.....	601,085.88	Umtab and White River Utes... Utes.....	3,340.00 1,750,000.00
Pawnees.....	309,196.41		
Poncas.....	70,000.00		
Pottawatomies.....	184,094.57	Total.....	16,246,883.90

The annual report of the Commissioner of Indian Affairs (1891, pp. 117, 118) lucidly presents the situation.

"In section 6 of the act approved March 3, 1891, above referred to, appears the following:

"That the amount of any judgment so rendered against any tribe of Indians shall be charged against the tribe by which, or by members of which, the court shall find that the depredation was committed, and shall be deducted and paid in the following manner: First, from annuities due said tribe from the United States; second, if no annuities are due or available, then from any other funds due said tribe from the United States arising from the sale of their lands or otherwise; third, if no such funds are due or available, then from any appropriation for the benefit of said tribe, other than appropriations for their current and necessary support, subsistence, and education, and fourth, if no such annuity, fund, or appropriation is due or available, then the amount of the judgment shall be paid from the Treasury of the United States: *Provided*, That any amount so paid from the Treasury of the United States shall remain a charge against such tribe, and shall be deducted from any annuity, fund, or appropriation hereinbefore designated which may hereafter become due from the United States to such tribe."

"Under the operation of the law contained in this section, it is apparent that a lien is constituted upon all funds which now are or may hereafter become due to any Indians on any account whatever, for the payment of these claims, except so much, as may be necessary for their current and necessary support, subsistence, and education." By an examination of the tables herewith presented, showing the date

of origin and the amount of the claims on file in this office, it will be seen that many of them originated at so remote a period that the present generation of Indians can not possibly have any knowledge of or personal responsibility for them. It thus occurs that a great hardship is liable to be imposed upon the present generation (which is making, comparatively speaking, satisfactory progress in civilization), by punishing children for crimes committed by their ancestors, and imposing upon them in their advanced and advancing condition, a burden which was created by their fathers while yet in a state of savagery. If the law is permitted to remain as it is, it will work great hardship and will be a matter of very considerable discouragement to the present, if not to future generations. Many of the Indians belonging to the different tribes which are chargeable with depredations are poor and struggling to become self-supporting, and the collection of these amounts will unduly punish them for sins of which, personally, they are not guilty. It certainly would provoke, in many cases, a spirit of antagonism and restlessness that would be very hurtful, primarily to the Indians themselves, and might seriously impair the peaceable relations between them and the Government, in which event the unlimited expense of reducing them to a state of peace would be far greater than the payment of these claims outright from the United States Treasury.

"When the different tribes which have entered into treaties and agreements with the United States bargained that the moneys to become due them by reason of such treaties or agreements should be held in trust by the Government and be paid to them in the manner and form set forth in such agreements or treaties, it was not contemplated by them that it would, at some subsequent period, enact a law, in the consideration of which they could have no part, which would practically confiscate these various moneys and divert their payment into an altogether different channel from that originally intended and agreed upon.

"In view of this situation, I would respectfully recommend that the act be amended so as leave it discretionary with the Secretary of the Interior to determine as to whether or not the financial condition of any tribe, against whom judgment may be obtained in the Court of Claims on account of depredations committed by members of that tribe, will justify the deduction from tribal moneys of the funds necessary for the payments of such judgments. At present it will be noticed there is no such discretion, except as to what funds may be necessary for the 'current and necessary support, subsistence, and education' of such Indians."

The following table shows what disposition was made of these claims up to June 30, 1891:

	Number of claims.	Amount allowed.	Amount claimed.
Paid or otherwise adjudicated by the Secretary of the Interior prior to the act of May 29, 1872	220	\$216,380.83	\$438,166.71
Paid under authority of various acts of Congress prior to March 3, 1885	52	208,140.10	311,651.71
Paid under authority of acts of Congress since March 3, 1885..	2	10,050.00	34,450.00
Acted upon by the Secretary of the Interior, pursuant to act of March 3, 1885, and reported to Congress January 1—			
1887	305	278,323.88	1,066,021.97
1888	369	336,728.42	984,433.66
1889	229	377,105.41	1,070,003.37
1890	164	213,288.69	797,825.65
1891	357	345,160.25	1,028,197.22
Acted upon by the Secretary of the Interior during 1891, pursuant to the act of March 3, 1885, but not reported to Congress.	5	15,340.00	28,049.75
Total	1,733	2,003,517.58	5,668,800.04
Remaining on file in Indian Office June 30, 1891	6,252		19,920,205.96

I fully concur in the views expressed by the Commissioner and believe that unless the law is amended as recommended we shall find ourselves involved in trouble, to settle which will cost the Government immensely.

These Indians, as a rule, are not far enough advanced in civilization to be able to be entirely self-supporting. These depredations were perpetrated by past generations of the tribes, and are now being adjudicated with but little, if any, actual knowledge on the part of the Indians of the proceedings. The funds to the credit of the different tribes are, on the other hand, well known to them and the annual interest or other payments eagerly anticipated and depended upon. Each diminution by payment of any of these judgments will be known, and, for the reason that it is not fully understood, deemed unjust and made in bad faith.

To illustrate I will take the case of the Cheyenne and Arapahoe Indians. There are claims filed against these Indians amounting to \$2,691,690. If 50 per cent of these are put in judgment, and experience shows that nearer 60 per cent of the

amount claimed is allowed, there would be \$1,345,845 for them to pay, to meet which they have but \$1,000,000, which, it was agreed with them, should be placed in the Treasury, the interest on which at 5 per cent should be paid them annually. This money is the proceeds of an agreement but recently made for the purchase of their title to lands in the Cherokee Strip, etc., and during the negotiations nothing was said or thought of as to this payment being applied to pay old depredation claims.

It yet remains to be seen whether this \$50,000 annual interest is sufficient for their support. If this principal is exhausted in paying the claims against them it needs little experience to teach that great discontent and perhaps violence will ensue not only from the unexpected loss but the actual need for support for which the money is intended.

All of the tribes against whom the largest amounts of claims appear, notably the Comanche, Apache, Sioux, Kiowa, and Navajoes, will be in the same condition if the claims against them are as rapidly liquidated from their trust funds, as now threatens to occur.

When the time comes that these Indians become self-supporting, the situation will be so changed that the moneys they have to their credit may then be taken for these payments.

It has been the policy of the Government heretofore to pay these claims when lawfully adjudicated, but to have them remain a charge against the Indians to be paid by them in the judicious administration of their affairs.

In view of the daily adjudications of the Court of Claims against the tribes, and the necessary application of the moneys of these tribes to the payment thereof, I deem it my official duty to express my anxiety lest this may soon lead to commotion and eventual outbreaks. In my judgment a discretion as to immediate payment of these judgments should be vested in some executive officer, and I respectfully submit the inclosed amendment to the law aforesaid.

The fourth provision of section 6 of said act is as follows:

"And fourth: If no such annuity, fund, or appropriation is due or available, then the amount of the judgment shall be paid from the Treasury of the United States."

My suggestion is to amend such provision by inserting therein after the word "available" the following:

"Or if in the opinion of the Secretary of the Interior the financial condition of any Indian tribe against whom judgment shall be rendered herein on account of depredations committed by members of that tribe is such as to imperatively demand for their support, education, or civilization the full amount that would be due them for interest on any fund to their credit in the Treasury of the United States, or, when, in his judgment, it would be injudicious to use any of the moneys of the said Indians for the purpose of paying the judgments that may have heretofore or shall be herein rendered against them as aforesaid, in either case he shall certify the same to the Treasurer of the United States."

Yours, most respectfully,

JOHN W. NOBLE,

Secretary.

The PRESIDENT OF THE SENATE.

DEPARTMENT OF JUSTICE,

Washington, D. C., July 7, 1892.

SIR: I have the honor to acknowledge the receipt of the resolution of the Senate of July 1, as follows:

"Resolved, That the Attorney-General be directed to transmit to the Senate a list of the judgments rendered in the Court of Claims in Indian depredation cases since the 1st of June, 1892, together with a statement of the date when each was rendered, in whose favor rendered, and the amount in each case."

I am also in receipt of a request from Senator Shoup, chairman of the Select Committee on Indian Depredations, that there be included in the report called for above a statement of the judgments entered in the Court of Claims in Indian depredation cases up to the 1st of June, 1892. In pursuance of such resolution and request, I herewith transmit a list of all judgments which have not been reversed or set aside, rendered in the Court of Claims in Indian depredation cases in favor of claimants up to July 1, 1892, under the act of March 3, 1891, "to provide for the adjudication and payment of claims arising from Indian depredations," with the date of each judgment.

Very respectfully,

CHARLES H. ALDRICH,

Acting Attorney-General.

The PRESIDENT OF THE SENATE.

List of Indian depredation cases in which judgments have been rendered in the Court of Claims, up to July 1, 1892.

In whose favor rendered.	Amount of judgment.	Date of judgment.
Mortimer Hynes.....	\$85.00	Jan. 11, 1892
John B. Tompkins.....	2,400.00	Do.
Julius Cragner.....	350.00	Do.
Isaac Van Bremmer.....	625.00	Do.
Mary Widner, administratrix of Christopher Widner, deceased.....	1,250.00	Do.
C. J. Van Meter.....	575.00	Do.
William T. Asbell.....	550.00	Do.
Mary Widner, administratrix of Christopher Widner, deceased.....	1,432.95	Do.
James Longmire.....	544.50	Do.
John Watkins.....	475.00	Do.
Harvey S. Shepard, administrator of Charles P. Shepard, deceased.....	223.00	Do.
A. J. Knott, administrator of Joseph Knott, deceased.....	1,744.40	Do.
William H. Baker.....	50.00	Do.
R. F. Dowell.....	200.00	Do.
Maggie Dickinson, administratrix of Asbury Dickinson, deceased.....	143.00	Do.
Nils Peterson.....	250.00	Do.
Ellen Lockwood, administratrix R. B. Lockwood, deceased.....	323.09	Do.
Hubert Pappan.....	167.00	Do.
Patrick O'Byrne.....	50.00	Do.
Mannel Silva.....	325.00	Do.
Robert M. Wright.....	600.00	Do.
H. C. Bridgman.....	215.00	Do.
George Harper.....	2,900.00	Do.
Zachariah T. Walrond.....	103.00	Do.
Charles Owen.....	418.75	Do.
James R. Mead.....	820.00	Jan. 12, 1892
M. J. McDaniel, administrator J. D. Peck, deceased.....	900.00	Jan. 13, 1892
William M. Wright.....	98.00	Jan. 14, 1892
A. B. Median.....	575.00	Do.
Mary E. Owens, administratrix Thos. E. Owens, deceased.....	380.00	Do.
James C. Loving.....	3,510.00	Mar. 28, 1892
Rachael Gilbert.....	2,800.00	Apr. 4, 1892
Campbell & Clinton.....	475.00	Apr. 18, 1892
John J. Moss.....	339.35	Do.
Felix G. Iman.....	1,543.50	Do.
William Kronig, administrator Samuel B. Watrons, surviving partner of Watrons & Burham.....	2,787.00	Do.
John A. Gordon.....	125.00	Do.
J. H. Estes.....	417.00	Do.
Jerome McAllister.....	725.00	Do.
Mrs. S. B. Jacobs, administratrix William Jacobs, deceased.....	495.00	Do.
V. B. Peterson.....	500.00	Do.
Henry A. Whaley.....	2,260.00	Do.
Theodore A. Sloan, administrator of Chas. Antobees, deceased.....	2,080.00	Do.
Joseph T. Fanning.....	350.00	Do.
A. J. Henson.....	800.00	Do.
C. W. Cooper.....	2,500.00	Do.
Daniel E. Moore.....	2,050.00	Do.
Seth E. Ward, surviving partner of Ward & Guerrier.....	7,947.54	Do.
Chapman & Tuttle.....	2,025.00	Do.
George W. McDonald & Co.....	1,275.00	Do.
David A. Smith & Eben Smith.....	300.00	Do.
W. J. Welborn.....	225.00	Do.
Alphonse Bishop.....	75.00	Do.
E. R. Akerly.....	1,310.00	Do.
John Hensley.....	1,950.00	Do.
David Cottiers.....	390.00	Do.
Arthur J. Chapman.....	14,150.75	Do.
Louis Pashall.....	250.50	Do.
Ezekiel Bailey.....	2,850.00	Do.
Susan A. Payne and Thomas A. McCleary, administrators Edward W. Payne, deceased.....	1,230.00	Do.
Richard F. Barrett.....	1,558.00	Do.
Barney Hughes.....	687.50	Do.
B. Brockway, administrator Anstin Rice, deceased.....	470.50	Apr. 25, 1892
J. W. Ladd.....	600.00	Do.
Louis Bordeaux, administrator James Bordeaux, deceased.....	1,250.00	Do.
George Flenning.....	700.00	Do.
Eli M. Sewell.....	800.00	Do.
Wm. McCullough, administrator Martin W. Newland.....	340.00	Do.
Charles W. Conger.....	240.00	Do.
Hettie Bellnard, administratrix Moise Bellnard, deceased.....	678.00	Do.
Helen Watkins, administratrix Homer Winters, deceased.....	250.00	Do.
O. P. Goodwin.....	240.00	Do.
James H. Nixon, administrator John Nixon, deceased.....	414.00	Do.
Charles Rath.....	1,100.00	Do.
David Lucas.....	100.00	Do.
John F. Stargill.....	90.00	Do.
E. J. Alexander.....	230.00	Do.
William McCullough.....	300.00	Do.
F. M. Phillips.....	400.00	Do.
J. H. Richards, administrator John A. Richards, deceased.....	574.00	Do.

List of Indian depredation cases in which judgments have been rendered, etc.—Continued.

In whose favor rendered,	Amount of judgment.	Date of judgment.
Francis M. Vanderpool.....	\$351.00	Apr. 26, 1892
M. A. Mousseau.....	2,513.75	Do.
Abney & Bender.....	950.00	Do.
Oliver P. Goodwin.....	1,800.00	Do.
H. M. Fosdick.....	500.00	Do.
Francis C. Boucher.....	225.00	Do.
John Jones.....	560.00	Do.
Hiram B. Kelly.....	3,450.00	Do.
John H. Durbin, administrator D. C. Tracy, deceased.....	2,500.00	Do.
W. H. Bush.....	375.00	Do.
F. A. Baldwin, administrator R. F. Blinn, deceased.....	1,200.00	Do.
Vivian Baca.....	7,160.00	Do.
James N. Clark.....	4,675.00	Do.
Anstin E. Koon, administrator G. W. Koon, deceased.....	1,508.75	Apr. 28, 1892
Wm. Kronig.....	665.00	May 2, 1892
Jesus Garcia.....	85.00	Do.
Juan Chavez y Pena, administrator Francisco Chavez, deceased.....	662.50	Do.
Tranquillino Luna, administrator Antonio José Luna.....	9,850.00	May 3, 1892
George Hollister.....	321.00	May 4, 1892
Joseph M. Apodaca.....	150.00	Do.
John Watts.....	650.00	Do.
George F. Brott.....	350.00	Do.
Charles Probst and August Kirchner.....	370.00	Do.
Marion G. Samaniego.....	9,350.00	May 9, 1892
Marion G. Samaniego, administrator Bartolo T. Samaniego, deceased.....	1,599.50	Do.
Isaac W. Baker, administrator Wm. Baker, deceased.....	600.00	Do.
Francisco Lopez.....	225.00	Do.
Wm. M. Murphy.....	692.50	Do.
Rudolph Irmingier.....	1,222.00	May 10, 1892
H. M. Chase.....	5,736.50	Do.
Charles H. Bitting.....	636.50	Do.
Dennis Sheely.....	5,929.00	May 11, 1892
Patrick Gosson.....	225.00	Do.
Jesse H. Crane.....	3,300.00	Do.
Ledrick & Whittaker.....	6,800.00	Do.
Bickford & Stanley.....	600.00	Do.
C. H. Shearon.....	100.00	Do.
Bazille Clemens.....	1,740.00	Do.
Amando C. de Baca, administrator Tomas C. de Baca, deceased.....	2,330.00	Do.
L. T. Richmond, administrator J. H. Richmond, surviving partner of Curtis & Richmond.....	4,144.50	Do.
Bickford & Stanley.....	1,000.00	Do.
May J. Hamilton, executrix Samuel M. Hamilton, deceased.....	5,664.00	Do.
J. D. & T. C. Hulett.....	7,800.00	Do.
Flower & Fitzhugh.....	3,000.00	Do.
Frederick Fredley.....	3,175.00	Do.
Rock Bush.....	700.00	Do.
John M. Edwards.....	242.50	Do.
Glendore De Graw.....	625.00	Do.
Encarnacion Montoya de Martinez, administrator of Leandro Martinez, deceased.....	1,475.00	May 17, 1892
Elizabeth J. Amis, administratrix of Holland Bailey, deceased.....	5,443.75	May 24, 1892
José Maria Chavez.....	1,015.00	June 13, 1892
James C. Loving.....	2,115.00	Do.
John T. Mitchell, administrator of Cyrenius Beers.....	7,800.00	Do.
John S. Luff.....	7,000.00	Do.
Richard F. Piatt, Henry T. Anderson, and James Bryden.....	6,225.00	Do.
George N. Moses.....	485.00	Do.
Albert Halladay.....	1,919.25	Do.
Henry C. Frazier.....	1,375.00	June 16, 1892
Rafael Romero.....	10,025.00	Do.
W. R. Stansell.....	126.00	Do.
James K. Belk.....	300.00	Do.
Julia F. Halsell, administratrix of J. G. Halsell, deceased.....	17,720.00	Do.
James C. Loving.....	2,015.00	Do.
James Bainter.....	4,432.50	Do.
Albert Halladay.....	6,809.00	Do.
Samuel J. Martin.....	2,075.00	June 30, 1892
Joseph S. Lacombe, administrator of August Lacombe, deceased, surviving partner August Lacombe & Bro.....	692.00	Do.
Francis Garcia de Montoya, José Montoya, Estimio Montoya, administrators of Estanislao Montoya.....	700.00	Do.
David Robertson.....	75.00	Do.
Seth E. Ward.....	25,750.00	Do.
John H. Rouse.....	490.00	Do.
Bernard, Irwin & Piper.....	900.00	Do.
Marcus Ulibarri.....	460.00	Do.
Philip Gomer and Milton M. Delano.....	4,350.00	Do.
Margatha Burke, administratrix of John Burke.....	5,612.50	Do.
Frank Kelley.....	5,300.00	Do.
Encarnacion Armenta.....	442.00	Do.
Elisha S. Babcock, administrator of A. E. Babcock, of the firm of Smythe & Babcock, O. R. Smythe, surviving partner Smythe & Babcock.....	13,640.00	Do.

List of Indian depredation cases in which judgments have been rendered, etc.—Continued.

In whose favor rendered,	Amount of judgment.	Date of judgment.
C. H. Hardisty	\$1,540.00	June 30, 1892
George Sanderson, surviving partner Sanderson & White	1,050.00	Do.
Cornelia G. de Baca, administratrix of Simon de Baca	2,000.00	Do.
Daniel J. Winters, surviving partner of Montague & Winters	935.00	Do.
Francisco Lopez and Lorenzo Lopez	2,750.00	June 13, 1892
Cornelia G. de Baca, administratrix of Simon Baca	1,656.25	June 30, 1892
Rafael Whittington, administrator of James H. Whittington	3,900.00	Do.
Henry Largey, administrator of Matthew McQuone (Matthew McQuone)	208.16	Do.
Amado C. de Baca, administrator <i>de bonis non</i> of Tomas C. de Baca, deceased	240.00	Do.
Manuel Abrew and Peter Maxwell, administrators of Lucien B. Maxwell	4,200.00	Do.
Amado C. de Baca, administrator <i>de bonis non</i> of Tomas C. de Baca, deceased	1,230.00	Do.
Frank S. Landry	940.00	Do.
Thomas Oglo	350.00	Do.
Amado C. de Baca, administrator <i>de bonis non</i> of Tomas C. de Baca, deceased	312.50	Do.
Joaquin Montoya	465.00	Do.
Mrs. Orilla A. Berger, formerly Barton	225.00	Do.
Jonathan W. McCarty	1,116.50	Do.
J. C. Clark	1,455.00	Do.
Amado C. de Baca, administrator <i>de bonis non</i> Tomas C. de Baca, deceased	3,160.00	Do.
Vincente Baca	360.00	Do.
Fielding Burns	1,000.00	Do.
Do.	4,620.00	Do.
Olive Lyon, administratrix J. P. Thomas, deceased	1,500.00	Do.
George Maxwell	5,625.00	Do.
Fred W. Westmeyer	210.95	Do.
Wm. Kronig, administrator S. B. Watrous	3,375.00	Do.
José L. Ribera, administrator Prudencia Lopez	5,200.00	Do.
John Nance	75.00	Do.
Lafayette Abbington	200.00	Do.
Andrew Dean (of Dehn)	350.00	Do.
Aaron Grigaby	108.15	Do.
James Smith	550.00	Do.
Hugh Campbell	336.00	Do.
P. C. Davis	600.00	Do.
Mrs. E. A. Bellion	651.00	Do.
J. E. Van Natta	520.50	Do.
John Sonne	587.00	Do.
Oren C. Davis	250.00	Do.
Michael Duval	515.00	Do.
Patricio Ortega, administrator Albino Ortega, deceased	960.00	Do.
G. D. Richardson	192.00	Do.
Wm. N. Moore, administrator Samuel C. Moore	500.00	Do.
José Felipe Baca, administrator Antonio Baca y Baca	3,900.00	Do.
Wm. H. Raymond and Winthrop Raymond	3,800.00	Do.
Wm. Shusber	745.00	Do.
Engene Middleton, administrator Wm. Middleton	3,085.00	Do.
Henry C. Smith	600.00	Do.
Tunis Swick	2,826.50	Do.
Simon Lundry, surviving partner of the firm of Tichnor & Lundry	6,301.80	Do.
Wm. K. Baker	2,527.00	Do.
H. Z. Salomon	8,108.48	Do.
H. C. Hooker	14,150.00	Do.
James L. Allen	285.00	Do.
Wm. F. Briggs	40.00	Do.
José A. Montoya, administrator Marie Marta Gallegos	100.00	Do.
William McBean	1,996.50	Do.
H. J. Standage	750.00	Do.
Ysabel Blanchard, administratrix of Ward B. Blanchard, deceased	2,300.00	Do.
Andrew J. Maxwell	910.00	Do.
Maria Isabel de Baca y Ribera and José L. Ribera, administrators of Gabriel Ribera	780.00	Do.
James M. Waide	3,250.00	Do.
Lester Walker	375.00	Do.
Albert G. Evans, Robert D. Hunter, and Jesse Evans	9,000.00	Do.
William R. Colcord	300.00	Do.
Alexander Louis	75.00	Do.
John Palmer	2,325.00	Do.
William H. Roberts, executor of C. R. Roberts, deceased	640.00	Do.
William Carter	240.00	Do.
P. H. Green	1,900.00	Do.
Samuel M. Fisher	635.00	Do.
Joseph Robbins	1,043.00	Do.
Jeanas Marin Gallegos	1,505.00	Do.
Antonio José Chavez	3,000.00	Do.
James R. Mead	235.00	Do.
José Manuel Sandoval	163.00	Do.
Nicholas T. de Cordoba and Louisa S. de Martinez	2,648.50	Do.
Nicholas T. de Cordoba and Juan Abrau Jiminez, administrator Ramon Romero	1,780.00	Do.

List of Indian depredation cases in which judgments have been rendered, etc.—Continued.

In whose favor rendered.	Amount of judgment.	Date of judgment.
Nicholas Cordova and Filomeno Sals, administrators Juan Lorenzo Sals ..	\$1,025.00	June 30, 1892
Celavina de Luna and Nicholas de Luna, administrators José Ignacio de Luna ..	3,996.00	Do.
Anastacio Cordova ..	275.00	Do.
Antonio Martínez ..	790.00	Do.
Miguel Esquivel ..	1,510.00	Do.
Total ..	479,067.62	

List of judgments rendered by the Court of Claims on Indian depredation claims since June 30, 1892.

Name.	Indian.	Amount.
Lovina Stites, administratrix of Hiram H. Peel ..	Sioux ..	\$320.00
John Woody ..	Comanche and Kiowa ..	725.00
Davis Levy ..	Bannock ..	927.00
Henry H. Woodward ..	Upper Coquille ..	252.00
E. C. Hardy ..	Klikitat ..	589.00
Florence F. Fargo, administratrix of W. H. H. Fargo ..	Chippewa ..	110.00
John W. Whitford, administrator of Jos. Whitford ..	do ..	737.25
Jarrit L. Sanderson, surviving partner of firm of Barlow, Sanderson & Co. ..	Cheyenne ..	7,740.00
José Anastasio Trujillo ..	Jicarilla and Apache ..	300.00
Nativi Montano and Juan J. Gonzales, administrators of Lorenzo Montano ..	Navajo ..	420.00
Wm. V. F. Earle ..	Sioux ..	455.25
Herman Levi, Jacob Levi, sr., partners under firm of H. Levi & Co. ..	Apache ..	108.50
Deluvina Vigilde Desmaris, administratrix of Miguel Desmaris and Louisa D. Bernard, late of the firm of M. Desmaris & Co. ..	Cheyenne ..	8,625.00
R. T. Betsey, administrator of C. O. Fuller ..	Kiowa ..	225.00
N. P. Hewitt ..	Cheyenne and Arapaho ..	468.30
Malcomb McNeill ..	Comanche ..	200.00
D. F. Bradford ..	Yakima and Klikitat ..	7,820.00
Jeremiah Graham ..	Sioux ..	750.00
Wm. W. Mann ..	Kiowa ..	125.00
Theodore Coulson ..	do ..	125.00
Hiram B. Kelley ..	Sioux ..	409.00
L. S. Jenks ..	Apache ..	250.00
Augustus Trobing ..	Sioux ..	675.00
Nicholas Janis ..	do ..	1,615.00
P. R. Tulley, and Octoe ..	Apache ..	15,215.00
James Whitehead ..	Comanche ..	7,100.00
Jean Louis Killeet ..	Minneconjon Sioux ..	2,723.00
Deciderio Valdez, administrator of Jose Marie Valdez ..	Navajo ..	40.00
Marcus Gonzales ..	do ..	900.00
José Saiz and Juan Urioste, administrators of Juan Saiz ..	do ..	400.00
Jerome T. Parrot ..	Sioux ..	1,614.00
M. A. Gallop ..	Cheyenne and Arapaho ..	223.69
Jesus M. Tafava and José Miguel Baca, administrators of Antonio C. de Baca ..	Navajo ..	720.00
Pablo Sanchez, administrator of Juan Montoya ..	Cheyenne ..	2,850.00
Stephen Stanley ..	Mescalero Apache ..	12,935.00
Antonio José Herrara ..	Navajo ..	1,950.00
Peter Corn ..	Mescalero Apache ..	250.00
Do ..	do ..	150.00
Do ..	do ..	75.00
Do ..	do ..	75.00
Martin W. Fanning ..	do ..	200.00
Joseph Leonia ..	Santee Sioux ..	1,600.00
S. A. Hamlin, administrator of J. B. Lowry ..	Sioux ..	2,025.00
August Ernest ..	Pawnee ..	125.00
Thos. Chevalier ..	Sioux ..	\$587.87
Felix Ulibarri ..	Kiowa ..	1,550.00
Joseph Knight ..	Sioux ..	2,700.00
Joseph Bissonette ..	Cheyenne ..	925.00
Do ..	Sioux ..	1,057.95
Thomas A. Trujillo, administrator of Pablo Trujillo ..	Jicarilla Apache ..	375.00
Hiram Leaf ..	Kiowa ..	100.00
Total ..		\$91,828.86
Sioux ..		\$11,577.25
Cheyenne and Arapaho ..		19,906.99
Kiowa and Comanche ..		7,776.00

STATEMENT OF HON. CHARLES FOSTER.

My practical knowledge of Indian affairs is covered by my experience as a member of the Sioux Commission. That commission succeeded in inducing the Sioux Indians to convey to the Government about nine or ten million acres of their lands, agreeing to take separate reservations and to take allotments in severalty. We interpreted to them the law of Congress, and we made certain statements to them. Among those statements was an estimate of what they would receive for the lands they were asked to dispose of. We fixed a sum, and, by looking over the report, I find that we stated to them that after they had received their cows, farming utensils, and houses they would have about \$5,000,000 left, which would be a trust fund, upon which they would receive 5 per cent interest to be used in certain ways. My impression is that, if we could have known that any interference was to be had with that trust fund, that any portion of it was to be paid as damages for depredations, we would have failed of success.

In our report we say to the President that we desire, if our action is to be approved, that our interpretation and our statements should be recognized by him as part of that approval. So that, as a member of that commission, I feel that, if this money were to be diverted so as to be used for payment of the Indian depredation claims, it would be a violation of good faith on the part of the Government toward those Indians.

I believe, furthermore, that it would cost the Government much less to pay these claims outright than to undertake to pay them out of this class of funds. I think Mr. Jerome, who has had much larger experience than I have had, will say to you that if he had intimated to those Indians that any part of this money was to be used for payment of Indian depredation claims we would never in the world have succeeded in getting from them an agreement. I suppose it is the policy of the Government to secure these lands through the employment of these commissions, and therefore it seems to me that the utmost good faith should always be maintained, and that whatever the commission has promised these Indians, and the Government of the United States has accepted, should be carried out inviolably.

That is all I have to say, and I say that from the experience I have had with these Indians and my observation while among them.

The CHAIRMAN. Have you any idea that there has been any attempt, by legislation or otherwise, to divert that \$3,000,000 (which you promised those Indians should be deposited in the Treasury for a specific purpose) to the payment of these depredation claims?

Mr. FOSTER. I have no specific information on that subject, not having examined the law, but I understand that the law provides for the payment of these Indian depredation claims, as I learn this morning from the Secretary of the Interior, from these trust funds. We asked them to make the agreement provided for under the law of Congress. Under the agreement of 1868 it seems that even when any lands were ceded the Government should obtain the assent of three-fourths of the male Indians over 18 years of age. We took that law without interpretation of the Secretary of the Interior, studied it carefully, made our own interpretation, and possibly modified our views somewhat to suit the occasion. Still, I think it was a fair and just interpretation of the law, and at every agency to which we went we made the statement of our interpretation and answered their questions, some of which were

very intelligent, as you will find, especially those of John Grass at Standing Rock. We estimated the value of the lands and told them what this trust would be.

Hon. JOHN A. PICKLER. Were there not a number who were hostile to this agreement, who contended to the other Indians that the Government would divert this fund, and that the provisions of the agreement would never be carried out in good faith?

Mr. FOSTER. Yes, that is so.

The CHAIRMAN. Were your side promises, if I may use that phrase, carried out?

Mr. FOSTER. I am proud indeed to say that Congress has ratified every suggestion we have made.

The CHAIRMAN. Then we have endeavored to carry out the agreements?

Mr. FOSTER. In perfectly good faith.

The CHAIRMAN. So that if those who come after us undertake to divert this fund it will not be your fault or ours?

Mr. FOSTER. It will not be my fault, I am sure. I do not know what this law is, and I have had a different view of it from that given us this morning by the Secretary of the Interior.

Secretary NOBLE. It may be that our own skirts would be clear for what we have done, but the Indian is a fixture there, and not knowing about the changes taking place here will have his opinion.

The CHAIRMAN. In order to keep our skirts clear it might be well to embody the statement into the stipulations that the United States considers itself bound until it changes its mind. [Laughter.]

Senator PLATT. I understand the Secretary of the Interior and the Secretary of the Treasury both to suppose that there is no discretion as to whether they will pay the judgments of the Court of Claims out of the funds deposited in the Treasury for the tribes.

Mr. FOSTER. Under the law of 1891 that is so.

Senator PLATT. Why is it not just as hard and immoral to deduct from the funds which are in the Treasury and which the Indians understand are there for their benefit and to be applied in a specific manner, as it is to take it out of funds which may be put in the Treasury under the agreements?

Mr. FOSTER. That is a question.

Senator PLATT. The law is explicit that the claims shall be paid, first, out of annuities; if there are no annuities, secondly, out of the principal of the funds themselves; and thirdly, if that is not sufficient, out of any appropriations that may be made for the Indians.

The CHAIRMAN. Out of "moneys not otherwise appropriated."

Senator PLATT. It does not say so.

The CHAIRMAN. Unless set apart for a particular purpose you can not take it away from them.

Senator PLATT. Suppose it be set apart to pay to the Indians interest upon it at certain specified times. That is all the specification there is.

The CHAIRMAN. If it be set apart for the purpose of paying to the Indians the interest at particular times, then you should not take that interest to pay something else, for that would be appropriating it to some other purpose. It is true you can do it, because the United States has the power, as it has the power to rob the Treasury. The law of 1891, it seems to me, must be construed to mean that the moneys in the Treasury belonging to those Indians are not there for any other purpose.

Senator PLATT. To put that construction upon the law is to say that

as respects payment out of the Indian funds the law is to be held entirely nugatory; that it does not mean anything.

The CHAIRMAN. It is very unwise to leave it in uncertainty, so that they would be compelled to go into court to secure their rights.

Hon. H. H. ROCKWELL. Under the language of the statute of 1891 I do not see how there can be any other possible construction, for it says:

SEC. 6. That the amount of any judgment so rendered against any tribe of Indians shall be charged against the tribe by which, or by members of which, the court shall find that the depredation was committed, and shall be deducted and paid in the following manner: First, from annuities due said tribe from the United States; second, if no annuities are due or available, then from any other funds due said tribe from the United States arising from the sale of their lands or otherwise; third, if no such funds are due or available, then from any appropriation for the benefit of said tribe, other than appropriations for their current and necessary support, subsistence, and education.

How can you construe that, except that it is to be deducted from the moneys already due and payable or to become due to those Indians?

The CHAIRMAN. Suppose the United States owed you \$100,000 and had bound itself to pay you in a particular way; that the United States should pass a law afterwards saying it would not do it, but would pay it to Mr. Foster, instead of you, because it thought you justly owed that much to Mr. Foster; do you suppose the United States could do that?

Mr. ROCKWELL. I want to say this: That if the United States owed me \$100,000 and had set it apart to pay me the interest thereon when due, and it should afterwards be found that I had committed a tort against Mr. Foster for which he had obtained judgment in damages against me in a court of the United States, then the United States would be perfectly justifiable in withholding from me the payment of that interest as a set-off to the amount of the judgment so obtained.

The CHAIRMAN. You commit a tort against Mr. Foster; Mr. Foster gets judgment against you for \$100,000; you have money in the U. S. Treasury; and yet the United States, without your permission, will say, "we will pay it to Mr. Foster, not to you?"

Mr. ROCKWELL. Excuse me one moment. The terms are that not only is Mr. Foster a defendant in the case supposed, but the United States is also, and the judgment is against the United States, and the United States had it to pay, and did pay last year \$479,000.

STATEMENT OF MR. DAVID H. JEROME.

With the permission of the chairman, I will say that my object in appearing before this joint session of the two committees is to respectfully request that in any legislation that may hereafter be enacted touching the ratification of contracts we have already made with Indian tribes, provision be made that shall shield the moneys that the Government has through our contracts agreed to pay the Indians from being appropriated to pay these judgments. That is our proposition.

These committees are well aware that this Cherokee Commission has been laboring in the Indian Territory for something over three years, and that during that time we have consummated agreements with a great many Indian tribes. Several of the tribes have been amalgamated, but our work has been condensed into eleven contracts. The Comanches, Apaches, Poncas, Kiowas, Pawnees, Arapahoes, Cheyennes, Kickapoos, Pottawatomies, and Wichitas are the tribes that we have dealt with, and who will be subject to that law of 1891 when the

claims that have been filed against them shall have been duly adjudicated in the Court of Claims.

Senator PLATT. There would be nothing against the Cherokees?

Mr. JEROME. If there should be anything against the Cherokees they are able to speak for themselves.

Senator PLATT. There would not be likely to be any claims against them.

Mr. ROCKWELL. Of this \$25,000,000 there is only \$85,000 claimed against the Cherokees.

Mr. JEROME. I have not checked them off the list, and do not speak for them because they are entirely able to speak for themselves. But in order to understand why we earnestly desire that these funds shall be sacredly kept for them I desire to say that these Indians are mere children, in the better sense of the word. When the commission approaches them to deal with them for their lands, their first response is that:

We are Indians; we know nothing of any new life; we know nothing of the white man's ways; and we shall be unable to subsist if you take from us the ordinary means of procuring a livelihood as the Indians have done; that is to say, if you restrict us in lands.

Then, like the simple persons that they are, according to our view, they say, "Now, what scheme have you to present to us that will enable us to live like white men?"

In response to that inquiry from the Indians we say to them:

The first thing we want you to agree to is that you will take homes in allotments on the reservation where you now live.

Very good. If we should take homes in allotments we have no money with which to build fences and houses, and to break lands, or generally to enter upon an agricultural life.

To that we have always answered in this way:

The Government fully appreciates all that, fully appreciates your surroundings and conditions, and in order to provide the means for you to go forward in this new mode of life you are to have so much money in lieu of the surplus lands you surrender to the Government; that in detail the Government will give you so much money the first year, so much the second year, and so much the third year, and so on. That money will be distributed per capita among the Indians on this reservation.

We have to bring it down specifically to just so many dollars and cents that each Indian will get, and not only what each Indian will get, but what his wife and each of his children will get, and which will enable each Indian head of a family to build a house costing a certain amount, to build fences, to break up land, to buy a wagon and team, agricultural tools, and all these things very minutely stated.

After explaining these matters in that way, and they become satisfied that we are thoroughly honest about it and are acting in good faith, they yield. They yield the most implicit confidence in and reliance upon the integrity of the men who are talking to them. They know no more than children about what should go into the paper agreement in order to protect their rights. That is left entirely with the commissioners who visit them, and it is a very grave responsibility to put upon anybody who deals with Indians.

Now, the commission was not advised of the enactment or of the provisions of that law of 1891, and we in good faith stated to them specifically every time that they would have so much money at such a time, so much at such another time, and that they could rely upon it because the faith of the Government of the United States was pledged to make those payments. Had the commissioners been advised of the provi-

sions of that law of 1891 it would have been our bounden duty, of course, to explain it to the Indians, because, entertaining conscientious scruples in regard to dealing with the Indians, our only way was to gain their confidence, to be fair with them, and to be full in our explanations as to what their future life should be.

There is another peculiarity about the Indians, that they assume that every commissioner representing the Government—it may be a violent assumption—has full prescience to determine not only what has been done, but to tell what will be done for all time to come. So that if a commissioner ever confesses to them that he can not tell what is going to be done at any time within the next hundred years, he is set down as a man not fit to represent the United States in dealing with Indians. They rely implicitly upon what is said to them by commissioners. Had they been told this case by the commissioners, that this money was liable to be diverted into other channels, there is no question in our minds at all—it admits of no doubt—but that that would have been the end of our negotiations.

I have further to say, as drawn out by your chairman, that where funds are specifically set apart that they may be sacredly guarded in the Treasury, to draw 5 per cent interest, under the agreement, and where it has also been told them that when the Government gets ready, at its pleasure, to cease to pay that interest, the principal will be distributed per capita, they have implicit confidence in and have relied upon that statement.

Senator PLATT. Do you not think it is true that, as regards each of these funds, the Indians themselves understand that at some period, near or remote, it is to be divided among them per capita?

Mr. JEROME. That is just what I was saying. They have been told in every instance that when the Government gets tired of paying 5 per cent interest on the amounts left in the Treasury, then there will be a further distribution among the Indians of so many dollars and cents to each one, if they have the same number then as now. So that in every instance they have been told, down to the most minute details, just what they could rely upon, what they could use their money for, and how they could enter upon and carry out this new life that is proposed for them.

Senator PLATT. With reference to the funds which were put into the Treasury before you commenced to negotiate these agreements, did the Indians not understand just what sum would be due them?

Mr. JEROME. I will not say that, because our agreements have never contemplated or included any arrangements of the Government with reference to any of the Indian funds already in the Treasury.

Senator PLATT. But I understand that every Indian tribe that has had a fund in the Treasury, even before you commenced to negotiate your agreements, has that feeling about it, that at some time that fund, if they arrive at a certain stage of civilization, will be divided among them per capita.

Mr. JEROME. Certainly. I will state that, while that was not covered by our agreements in writing, yet all of our statements to them as to what they would have in the future always took into account the money that would be distributed under contracts existing with them prior to the making of our agreements; so that we bunched them together, to tell them what their resources would be in the future. In every phase of it they have been led to believe by our statements that they would have so much money without any of this money being diverted to any other purpose.

Mr. ROCKWELL. I suppose nothing was said about any depredations they had committed?

Mr. JEROME. In one instance a Comanche chief asked the commissioners whether it were possible for claims to be proved up against them which would involve a diversion of their funds.

Senator JONES, of Arkansas. What was the answer?

Mr. JEROME. The answer was not what can be repeated exactly from memory, but it was just such an answer as anybody would make if he did not know what to say.

Senator PLATT. The fund which goes to the Cheyennes and Arapahoes is a joint fund, is it not?

Mr. JEROME. Yes; they are a consolidated band of Indians, made up of those two elements, the Cheyennes and the Arapahoes.

Senator PLATT. The claims against them, however, would be against them in their separate tribal capacity, would they not?

Mr. JEROME. That is a construction which I am not prepared to discuss.

Senator PLATT. I mean this: That the claims would be against the tribe—the Comanches, or the Arapahoes, or Kiowas, before they were consolidated?

Mr. JEROME. Oh, yes. I find in the list lying here on the table claims filed against the individual elements of the consolidated tribes. The Wichita tribe, as we denominate them, is composed of some eight or nine bands that have been affiliated and consolidated, and there are claims against some of the elements of that consolidation. In view of that, as I was saying, we did not know whether it might not be possible that money might be retained for the payment of those claims, and we did not make it clear to them that it would be, and we were just as clear in leaving them with the impression that it would never be diverted as though it had been so stated in terms. We were not advised as to the provisions of the law, and were consequently embarrassed as to just what we ought to say to them about that, but on general principles we made the best explanation we could. Now, the agreement with the Cheyennes and Arapahoes was consummated before the passage of this law, and, as I said a while ago, you could never convince those Indians that the Congress of the United States did not contemplate in passing that law that these commissioners had no knowledge of it; you can not convince them under any circumstances of any such thing.

The CHAIRMAN. Were any of the agreements ratified by Congress before the passage of this law?

Mr. JEROME. Yes; the Arapahoe agreement was ratified before. We ask for the protection of the fund of the Cheyennes and Arapahoes just as much as we do for those agreements not yet ratified, because the good faith of the Government and the good faith of the commissioners, in my judgment, are pledged that the funds should not be diverted. The agreements were ratified with the Kiowas, Pottawatomies, and Absentee Shawnees.

Senator JONES. Then your idea is that no part of this money can be diverted?

Mr. JEROME. By no means, without breaking faith with these Indians. And let me say here that one of the most hopeful signs we have ever found to encourage us in the building up of civilization among the Indians is the implicit reliance they have upon the good faith of the Government towards them. They have just as implicit reliance upon the good faith of the Government as a child has in its mother. They do not doubt and have never doubted, that the Gov-

ernment will deal fairly with them; and anything that would mar or break that confidence they have in the Government would set them back further than any one act I can name. They are drawing into line now, and we are encouraged in the belief that they are making progress in that way. After they have thus put themselves implicitly in the hands of the Government, to be guarded and taken care of with respect to these allotments that have been made, if they should ever be warranted in saying that they have not been treated fairly, they would retrograde and become vicious and ugly, having no means of defending themselves except by committing vicious acts.

I want to draw one distinction which may have escaped the minds of some here: That the law of 1891 is very radical in its provisions about diverting these Indian funds. It is my understanding of the law that the only discretion now in the Secretary of the Interior to take this money out of the Indian funds in the Treasury is covered by the act making the appropriation of \$479,000 to pay judgments rendered since the passage of the act of 1891.

Mr. ROCKWELL. The qualification there was that, as soon as practicable after the passage of the act, such deductions should be made according to the discretion of the Secretary of the Interior, having due regard to the educational and necessary wants of the tribes affected.

Mr. JEROME. That is an appropriation act providing the funds to meet judgments rendered by the Court of Claims?

Mr. ROCKWELL. Yes.

Mr. JEROME. The act of 1891 precedes that and is the general law that governs the whole; so that when these payments are made under this special appropriation act the law ceases to confer discretion upon the Secretary of the Interior. You then go under the general law for all that comes after that unless there is a modification of it in some way.

Senator JONES. Your idea, then, is that, no matter how much wealth any tribe of Indians may have accumulated in the Treasury under any agreements made with them about selling their lands, and agreements are afterwards made between commissioners and themselves, they have been led to believe that the Government would not suffer any deductions to be made from those funds on account of these depredation claims, and therefore none ought to be made?

Mr. JEROME. My judgment at present about it is that they have had no notice that these claims would be made against them, and that therefore they would be taken by surprise when confronted with them.

The CHAIRMAN. Then you think, if you make an agreement now with these Indians in which you stipulate that they shall be paid for this land in a particular way, and Congress ratifies that agreement, without any further action the accounting officers of the Treasury can take that money and appropriate it in another way?

Mr. JEROME. I have no doubt of it, unless there be some specific provision as to what use the money shall be put to. In the agreements that this commission has made there are no provisions as to the use to which the money shall be put. Our talk to them did cover that, but the agreements in writing covered no such provision.

The CHAIRMAN. Can not the United States modify that depredation law?

Mr. JEROME. Oh, certainly, Congress can modify it.

The CHAIRMAN. Then if Congress makes a law prescribing that a certain sum shall be paid in a certain way does not that modify that law?

Mr. JEROME. I do not know about that. The Cherokee Commission,

let me here say, with all due respect to the committees, are of opinion that there is wisdom enough here and sufficient legal accumen to properly guard these funds we are talking about. Just what that way is it is not for us to prescribe, but we do sincerely urge, with all the energy we can command, that it be done in some way.

Hon. SAMUEL W. PEEL. Should any of these funds, arising from any of the agreements you gentlemen have made with the Indians, be diverted in future to the payment of any of these judgments of the Court of Claims, you believe that would be a violation of the good faith of the Government?

Mr. JEROME. Most assuredly. I would impress it upon you, gentlemen of the committees, and I repeat, that in our talks to the Indians about how they were to continue in this new life we explained to them that if they already had any more money in the Treasury that would yield them so much each year, and this new agreement would provide for them to have so much money in each year, and that putting the two together it would make so much. To an Indian that is just as binding in honor as though it were put in the paper itself.

Let me say further, that in discussions we have had with many of the tribes, where I have heard one Indian say he remembered about what was in a treaty or what was in any agreement they had made with the Government, I have heard a hundred say that they remembered well what the Commissioner said to them, what the Secretary of the Interior said to them, what the Commissioner of Indian Affairs said to them, or what some general said to them. They base their rights and their claims absolutely upon what they can remember of what some commissioner or authorized representative of the Government may have said to them. That is their way of perpetuating these things, and it is handed down by tradition, one man saying that his grandfather was present and heard general and commissioner so-and-so say this or that. That is conclusive with them. They do not say that the agreement provides one way or the other.

So I say that, considering what we have said to them about their present funds in the Treasury, with what we propose to give them in the future, they have reason to believe in their way that these funds that they now have in the Treasury will not be diverted. But this law of 1891 provides for paying these judgments out of money that may hereafter arise from the sale of these lands. That is a very important provision, Mr. Chairman. It provides for payment out of annuities. The Pawnee Indians have an annuity of \$30,000 under prior treaties. In our conversations and interviews with the Pawnees we have put that \$30,000 with what we are to give them, and that shows them the road by which to reach prosperity in the white man's way.

The CHAIRMAN. Suppose you put in the agreement a provision that neither this sum nor any other sum of theirs in the Treasury shall be subject to the depredation law, and that that agreement be ratified by Congress.

Mr. JEROME. If you will put that in the act ratifying our contracts it will certainly satisfy our notions of propriety. The agreements are already made. If we were to go forward with our present information there is no question but that we should incorporate in every contract a provision that would preserve those funds. We feel earnestly about it, and there is no phase of it that may result in diverting one dollar of these funds that would leave the Government in good standing with these Indians, that would leave them with any respect for these Com-

missioners, or that would not leave the Commissioners in the condition that they would be ashamed they had been there.

Mr. ROCKWELL. You alluded to a modification of the law by the appropriation act of 1892, and said that while its provisions would seem satisfactory to you they would expire with the year for which the appropriation was made; would such a permanent modification of the general law be satisfactory?

Mr. JEROME. Let me answer in this way: It is like a wooden leg; if that is the best we can get it will do. But if you would make it so that it would be beyond question as to how some future Secretary of the Interior would act, then we would be satisfied.

Mr. ROCKWELL. It strikes me that it is better for the Government and safer for the educational and other requirements of the Indians than the modification of the law as suggested by the Secretary of the Interior.

Mr. JEROME. So I think; very much better and safer. But that way is better than none. If we had the agreements to make over again we would incorporate in every one of them a provision that these funds should never be diverted to any other purpose except to be distributed among the Indians.

Senator PLATT. That would mean that the Government should pay out of its own moneys whatever judgments might be rendered.

Mr. JEROME. The Government must look out for itself and discharge its responsibilities in that particular.

Senator JONES. In other words, that the Indian should never be compelled to pay his just debts.

Mr. JEROME. I am not defending the Indians who committed these depredations, but I call your attention to the fact that they have no record method of perpetuating testimony. These claims are for damages occasioned by wrongs that were committed years and years ago.

Senator JONES. Do you think the Government liable for those damages?

Mr. JEROME. That I do not know; but this is what I want to call to the attention of the committee: That you should remember that every child born at the time of the completion of these allotments has the same interest in those allotments as the adult male has to-day. Now, the child or middle aged person may have no means of defending himself; he can not go into court; he will never have his day in court to defend his interests, and yet you divert his money in order to pay claims that, to say the least, will not decrease when presented to the Court of Claims.

Mr. ROCKWELL. Do you not think it would be better to leave the law so that we could use the Indians as a makeweight? In other words, would it not be better, as part of the consideration for the payment of these funds, to have it understood that the Government should pay the depredation claims, so that the Indians might take more interest in helping to make the necessary proofs in defense of those claims? For I assume that if the damage occasioned was really only \$10 a claim would be presented for at least \$100, and that if the damage was only \$100, a claim would be presented for \$1,000. It seems to me if this idea were adopted we could have the assistance of the Indians in securing proofs to reduce these claims.

Mr. JEROME. I will answer that somewhat in the fashion of the answer of the minister to China with reference to what effect the Chinese exclusion act would have upon the Chinese nation. He said that there would not be one man in a million in the Chinese nation who would know

about it. So I say there would not be one man in a hundred thousand who would know of the existence of these claims. I will answer further, as a practical proposition, that if you want to deal with the Indians you do not want to go with the butt end of the dog ahead; you want to go in a better way, in the way pointed out, the way that will better him and better the condition of his wife and children; not hold over him *in terrorem* something that may happen to him if he does not, for if you do that you will never protect him as long as water runs and grass grows.

MR. ROCKWELL. It is not the duty of the Attorney-General in charge to defend these claims, and does not Congress appropriate money to help defend these very claims.

MR. JEROME. That is a matter with which I am not sufficiently familiar to answer.

MR. ROCKWELL. That being so, the Attorney-General wants the help of the Indians to make that defense?

MR. JEROME. But I apprehend that there would be no difficulty in getting the coöperation of the Indians to furnish testimony, if they have any, provided they are encouraged to do so. But to go there with a threat that they will be liable under certain contingencies would not enable you to secure half the help you would get if you treated them the other way and held out inducements to lead a better life.

My brother Sayre has some remarks to make, and indeed I have taken more time than I thought to take. But what we want is that the assurances that have been given by this commission in good faith and without knowledge of this law—referring to those assurances given before as well as those that have been made since—shall be protected from any invasion through this channel, and we will ever pray and be happy if you protect them.

Senator PLATT. I would like to inquire what provision has been made since the act of 1891 that tribes should have notice if any claims were made against them?

MR. ROCKWELL. I know of no such provision; but I know the statement was boldly made in Congress that no such notice was provided for. That statement was made very near the close of last session.

Senator PLATT. I am under the impression that Congress passed a law that notice should be given by the Attorney-General or by somebody to the tribe if any judgment was rendered, but I can look it up.

STATEMENT OF MR. WARREN G. SAYRE.

Upon this subject I now desire only to say that I heartily concur in what has been said, and to say that what has been said is a statement of my own views, perhaps more fully made than if made by myself.

The tribes of Indians with which we have had relations, or with which we have made agreements, have no funds of any substantial value in the Treasury of the United States, except those derived from agreements previously made. Therefore, if these new agreements had not been made, the claimants for payment for damages occasioned by the Indian depredations would have had the same remedy they now have under the law, because in the absence of funds the judgments would be paid out of the Treasury of the United States.

I desire to say further, that had it been known that these funds were subject to diversion for payment of depredation claims the agreements

we have made would not have been made, and still the claimants would have had the same right to recover their money in the Court of Claims.

If anybody will think of it a moment he will see the extraordinary difficulty an Indian or an Indian tribe would have in defending in cases of this kind. I can only imagine one defense that can be made, and that would be to prove an *alibi*, because the claimants say that the depredations were committed, and the only thing the Indian can do is to say that he did not do it. But if he undertakes to make proof of the circumstances attending the depredations, that shows that he was there, and if the depredations were committed that his tribe committed them. Or he might possibly prove that some other Indians committed them. That would require in a court of justice some knowledge of the circumstances and would make necessary the presence of the Indian in order that he should furnish testimony upon the subject.

But it is not of the depredation-claims law that I meant to speak. The Indians we have dealt with are assuming a new relation in life. In place of having a reservation to roam over and get a precarious subsistence from, they are invited by the law and by these agreements to take individual homes. An Indian can not live on 80 or 160 acres of land any more than a white man can, unless that land by cultivation be developed and made fit for deriving benefits from. These Indians are improvident creatures, as you all know, and they are invited to take these homes and the funds by which they can put themselves in a condition to earn a living, and yet the very means to that end are taken from them by the provisions of this depredation law. Not one of those large tribes, the Cheyennes and Arapahoes, will have a dollar left; nor will the Wichitas, Kiowas, or Comanches have a dollar with which to put in a habitable condition the homes to which they are invited. The result will be that they will become a charge upon the Government of the United States, or upon Oklahoma, where these people reside, or upon their particular localities. They will be dependent for subsistence on public charity either from the Government of the United States or the locality in which they live.

As has been said, had this condition been made known to the Indians the agreements would not have been made; they would yet have their reservations; and yet the claims for damages arising from Indian depredations would be paid out of the Treasury of the United States. I think if these funds are protected from these depredation claims, the Government of the United States will be in no worse condition than it would have been had the agreements not been made, because the law of 1891 provides that they shall be paid out of the Treasury of the United States.

There is another question to which I desire to call the attention of the committee, and that is the new relation that these people bear to the United States Government by reason of becoming citizens. The Cheyenne and Arapahoe Indians are citizens of the United States to-day, and have been for more than a year. As each tribe has been allotted lands the members of it have become citizens of the United States. Yet here is a law of Congress saying that the Court of Claims at Washington (nearly 2,000 miles distant from where they live) shall have jurisdiction to pass upon the disposition of their property. They have not only become citizens of the United States, but by what we in the Indian Territory familiarly know as the Dawes law (the general allotment act), when they became citizens of the United States they did not lose any of their rights in tribal funds. So there they are, citizens of the United States, having an interest in these funds, and here it is

proposed by act of Congress to take those funds and divert them to other uses through judgments of the Court of Claims. My own individual opinion is that it can not lawfully be done. But, as Governor Jerome said, they are without remedy because of their poverty and their inability either to employ counsel or to make a case in any court where their rights can be protected.

The question has been suggested by the chairman as to whether the ratification of these agreements providing that this money shall be paid to the Indians does not take away the operation of the depredation law of 1891. If it does it will be because one act of Congress, being subsequent, repeals by implication the prior, or repeals it so far as that particular fund is concerned. That leaves it subject to construction or interpretation by the administrative officers of the Government, because there is no way for these people to get into the courts. In place of leaving it in that condition, it is the judgment of this commission that good faith requires that in the ratification of these agreements these funds be put beyond the power of any deduction on account of Indian depredation claims. I am not speaking generally of all the tribes in the Indian Territory, but of those with whom we have dealt, because they have no other funds to which recourse can be had.

The Cheyennes and Arapahoes have a treaty with the United States which expires by limitation five years from now, whereby they receive for the support of their schools and for agricultural implements, clothing, and material with which to carry on blacksmith shops and things of that kind, the sum of about \$37,000 per year. That is the only fund they have outside of the fund provided for in this agreement. That fund is now reduced to \$1,000,000, which at 5 per cent yields \$50,000 as their annuity. Yet to-day there are depredation claims filed in the Court of Claims, as we are informed, against those two tribes amounting to nearly \$3,000,000, which will take from them every penny of the means they have for their support, and then they will become either pauper charges upon the bounty of the United States or be dependent upon the charity of the neighborhoods where they live.

Senator JONES. What ratio do the judgments rendered by the Court of Claims up to to-day bear to the amount claimed?

Mr. SAYRE. I have seen some estimate; I think the statement is that 30 odd per cent of those that were passed on prior to last June were allowed; and the estimate is made by the Secretary of the Interior in some communication from him I have seen that 60 per cent might be allowed. If 60 per cent were allowed it would wipe out all of these funds.

In the negotiation of these agreements the Indian was told what each person would receive. Otherwise they could have no comprehension of it. If you tell an Indian tribe you will give them \$2,000,000 upon the surrender of their reservation, they have no conception of that amount of money. Their enumeration is confined to hundreds. It has come to our notice that the only conception an Indian has of a thousand dollars is to refer to a box of money.

In old times payments were made to the Indians in silver, and the money was transported in boxes, each containing \$1,000 in silver. If you talk to an Indian about \$50,000 he will have no appreciation of what you mean, but he would understand what you meant if you said fifty boxes of silver. On that account we have been compelled to reduce all our propositions to them to per capita statements as to how much of principal, how much of interest, and the time and manner of

payment, so as to reduce it to amounts and numbers within their comprehension, as, for, instance, that each one shall receive \$75 or \$50 each year. That they can understand, and in that way these agreements have been negotiated with the tribes we have dealt with, save the Pottawatomies, and the Pottawatomies are not Indians but white men. We negotiated with them without an interpreter. They are white men in appearance, speak the English language, and, with rare exceptions, are white men.

Now, our opinion is—and we want to urge it upon Congress, through these two committees, as strenuously as we can—that these funds shall be preserved to these Indians, and if there is any doubt about the ratification of the agreements taking them out of the operation of the Indian depredation law of 1891, an express provision for that purpose ought to be incorporated in the law ratifying these agreements. It does not relieve the Treasury of the United States, in my judgment, a particle to say that the judgments shall be paid out of the Indian funds, because if the funds are destroyed in that manner for that purpose, then it is to the interest of the Government to take care of the Indians by appropriations, as has been done for a generation. So that in the long run it will cost the Government of the United States, in my opinion, a great deal more money than it will to save these funds from the operation of these judgments.

Senator PLATT. If we make that provision with regard to the funds which arise from the agreements you have negotiated, why should we not make it with reference to all the funds? In other words, why not repeal that section or provision of the law which says that the judgments shall be paid out of Indian funds?

Mr. SAYRE. We can imagine that there could be tribes of Indians wealthy enough to justify the payment of Indian depredation claims out of their funds when judgments are entered against them.

Senator JONES. But they might not be willing.

Mr. SAYRE. But this Indian depredation law of 1891 provides that claims may be filed for damages that have accrued since the year 1865. A claim for damages on account of a depredation committed twenty-seven years ago by any of the Indian tribes in the United States is cognizable in the Court of Claims, and that court can render judgment. It can render judgment not only on claims that have been filed before the Indian Office, but upon any claims, under this law. Ordinarily, among white men, there are statutes of limitations that do not give any such length of time as that within which to prosecute claims for damages to property.

Senator PLATT. From an examination of this table before us (Ex. Doc. No. 134, Senate, 52 Cong., 1st sess.), I should say that pretty nearly half the claims are for depredations committed before 1865.

Mr. SAYRE. It saves those that were committed prior to 1865 and which had been in process of adjustment in the Indian Office. But under that law, as I understand it, any depredation committed since 1865 can have a claim filed for it and prosecuted in the Court of Claims. Somebody has said here, this morning, something about the value of horses. I believe there is not a horse worth \$150 in the Indian Territory, unless it belongs to an Army officer. Whole droves of ponies or horses, the kind that are used by cattlemen and the people who inhabit and do business in that country, are for sale at from \$10 to \$25 per head. But, as far as I have observed in the depredation claims, the horses are all "thoroughbreds" and worth at least \$200 each. They

all get to be thoroughbreds in the Court of Claims, whereas in the Indian Territory they are the commonest kind of cheap scrubs.

The CHAIRMAN. Have you any legislation to suggest to us?

Mr. SAYRE. No; I would not assume to suggest legislation.

The CHAIRMAN. Are there any of your colleagues who so feel the necessity of legislation as to be willing to suggest it in the form of a bill?

Mr. SAYRE. Do you mean a clause in a bill for the ratification of these arrangements?

The CHAIRMAN. So far as you think legislation is needed.

Mr. SAYRE. You mean upon this subject?

The CHAIRMAN. Yes, with reference to this subject.

Mr. SAYRE. I had not thought of anything of the sort, but I will give some attention to it if desired.

The CHAIRMAN. You or your colleagues might put your views into the form of a bill and submit it to us.

Mr. ROCKWELL. Would such a clause as is in the appropriation act of last year be sufficient?

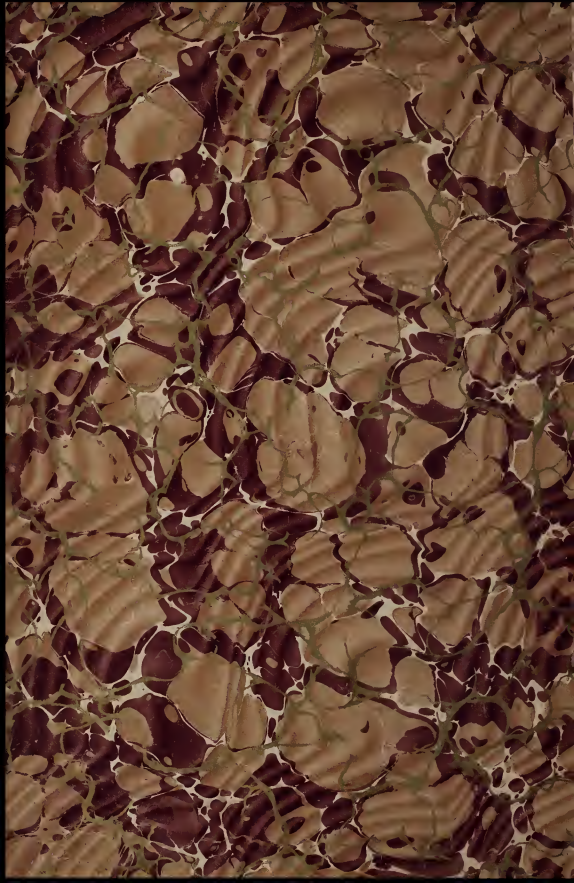
Mr. SAYRE. That leaves it dependent upon the exercise of discretion on the part of the Secretary of the Interior, so that one Secretary might exercise his discretion one way, and a succeeding Secretary in another way. That leaves the fund all the while in peril. If good faith requires that these funds shall be paid to the Indians for their use, and public policy requires it, so that the Indians may adapt themselves to the new condition of life they are assuming, then I should think, in place of leaving it to the discretion of anybody, positive legislation ought to be had providing that the fund should not be diverted to any other purpose than that contemplated by the agreements.

Senator PLATT. I suggest that you frame such an amendment to the bill ratifying these agreements now under consideration as you think ought to be incorporated.

Mr. SAYRE. With reference to the manner in which payments are made to the Indians, I will say that the agent gives a check to each Indian; the Indian takes it to the trader, and as the amount of it has probably been already traded out, all the Indian receives has been already consumed. That is the way it goes, for thousands and thousands of dollars have been already expended for goods bought at extravagantly high prices from the traders, so that the Indians rarely see any money. The Cheyenne and Arapahoes are paid in silver. The money is transported to them, \$50,000 at a time, under military guard.

We witnessed a payment to the Poncas, just a week before last, where an Indian did not see or handle a dollar of the money, although some \$25,000 and odd was paid out. The traders were in a tent near by where the payments were made by checks; each Indian would take his check to the trader who had sold the Indian goods on credit. In that way often the Indian has only a dollar or two of cash due him from the trader in excess of the amount of the check. The Indian can get credit for goods from the trader, or he can borrow small amounts from the trader, and thus nearly all these payments to Indians simply result in turning the money over to the traders in payment of store bills previously created. The traders are well informed as to the line of credit they can extend to each Indian and each family. The Indians would like to see the money; they would prefer to be paid in money, and not by check. So it occurred to us that when they want coin down in that part of the country it would be well to send them silver dollars, which would not find their way back to the Treasury within a short time.





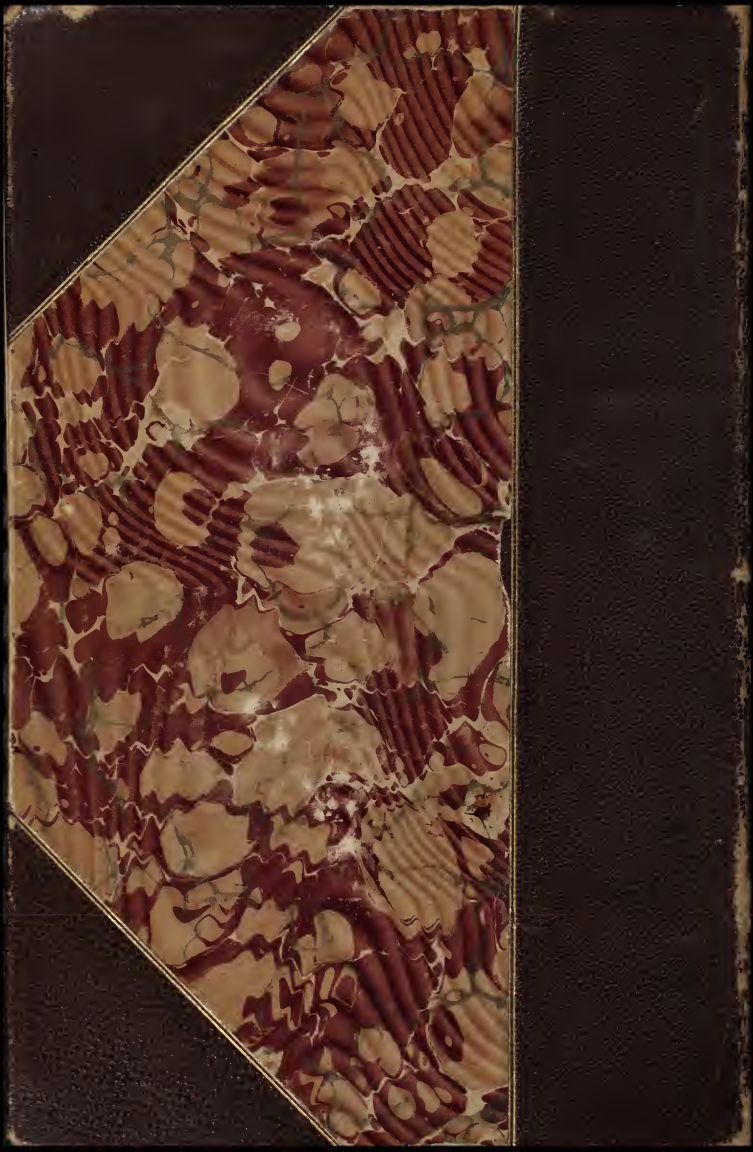


AYER

155

-3

1824



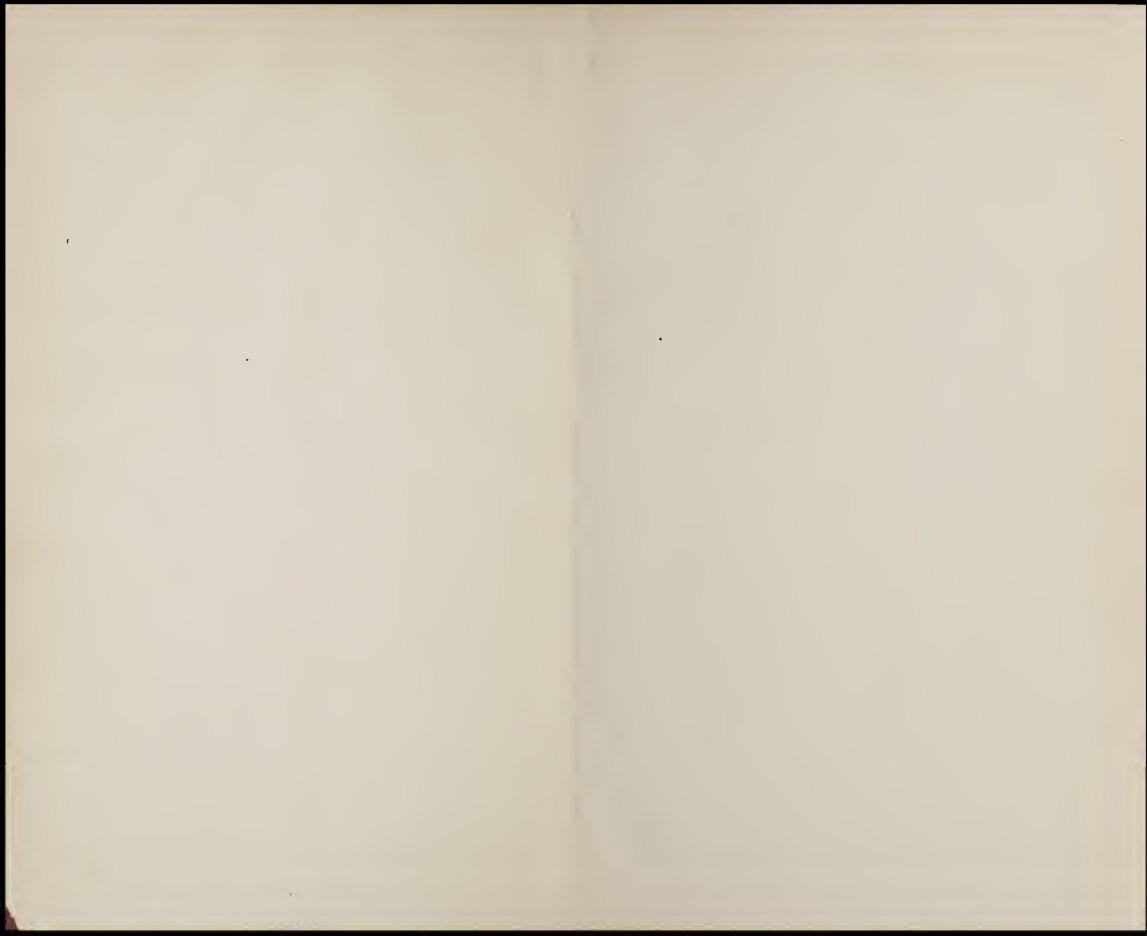
162

GUACANAGARI	PONTIAC	BLACK HAWK
MONTZELUMA	CAPTAIN PIPE	KOKUK
QUATIMISTIN	LOGAN	SACAGAWEA
POW-HATAN	CORNPLANTER	BENITO JUAREZ
POCAHONTAS	JOSEPH BRIANT	MANGUS
SAMOSEET	RED JACKET	COLORADOS
MASSASOIT	LITTLE TURTLE	LITTLE CROW
KING PHILIP	TECUMSEH	SITTING BULL
UNCAS	OSCEOLA	CHIEF JOSEPH
TEDYUSKUNG	SEQUOYA	GERONIMO
	SHAGBEE	



TO PERPETUATE THE HISTORY
AND DEVELOPMENT OF THE
PEOPLE REPRESENTED BY THE
ABOVE CHIEFS AND WISE MEN
THIS COLLECTION HAS BEEN
GATHERED BY THEIR FRIEND
EDWARD EVERETT AYER

AND PRESENTED BY HIM
TO
THE NEWBERRY LIBRARY
1911



Contents.

1. Report of the Committee on Indian Affairs
2. Bogy, L. V. Defence. Ed. 2.
3. Message of the President. 1872.
4. Minutes of the Assoc. Exec. Com. of Friends
5. Custer, B. A. Testimony.
6. Logan, J. A. Speech. Indian affairs
7. Laws & Regulations relating to Trade with Indians
8. Porter, R. P. The Eleventh Census.
9. Payment of Indian Depredation Claims

Ayer
155
I 3
1824

Ayer 3613

REPORT OF THE COMMITTEE ON INDIAN AFFAIRS.

From THE FRIEND OF PEACE. Vol. 4.

Cambridge: 1824.

REPORT OF THE COMMITTEE ON INDIAN AFFAIRS.

March 23, 1824. The Committee on Indian Affairs, to whom was referred the resolution of the 6th of January, instructing them to inquire into the expediency of repealing an act, entitled, "An act making provision for the civilization of the Indian Tribes adjoining the frontier settlements," passed on the 3d of March, 1819, Report:—

That they have examined the subject embraced by the resolution, and beg leave to submit the following statement:

The Committee have carefully examined the measures which have been adopted, for the disbursement of the annual allowance made by this law, and find them very judicious, and such as are best calculated to effectuate the benevolent designs of the Government.

All the schools are increasing, and so urgent is the wish of the Indians to have their children educated, that numerous applications are refused from the limited means which the schools possess. The time of the children is not wholly devoted to their books, while at school; the girls are instructed in such arts as are suited to female industry in civilized life, and the boys are required to devote a part of their time in acquiring a knowledge of husbandry. The advances of male and female, in these branches are most satisfactory, and have already had no small influence in inducing their parents to become less fond of an erratic life, and more inclined to have fixed residences, and rely for their support on the cultivation of the ground. Such has been the effect of the above circumstances, combined with some others not more influential, that at many of the places where schools have been established, the Indians have constructed comfortable dwellings, and now cultivate farms of considerable extent. They have become the owners of property necessary to agricultural pursuits, and for the conveniences of life.

The annual appropriation of ten thousand dollars, has encouraged the benevolent and pious, in many parts of the country, to form associations and collect donations, with the view of aiding the humane purposes of the government. Hundreds of such associations are now in active operation; and they are much cheered in their exertions by the rapid advance to civilization which the Indians have made.

It requires but little research to convince every candid mind, that the prospect of civilizing our Indians was never so promising as at this time. Never were means, for the accomplishment of this object, so judiciously devised, and so faithfully applied, as provided in the above act, and the auxiliary aids which it has encouraged. It is believed to be an essential part of any plan for Indian civilization, that, with the rudiments of education, the males should be taught the arts of husbandry; and the females to perform those domestic duties, which peculiarly belong to their stations in civilized life.

These are combined in the exertions now making; and, from the good which has been done, the most pleasing anticipations of success are confidently cherished. There are many Indian nations, within our boundaries, who have experienced no aid from these efforts; being restricted in the means, the benefits are, consequently, limited. But the Committee are assured, that the continuation of the appropriation, seconded by the liberal and increasing aids which are afforded by voluntary contributions, will gradually, and most effectually, extend the benefits of the law to the remotest tribes, who inhabit our extensive domain. This will be a work of time, and for its accomplishment, great labor and perseverance will be necessary. The progress, however, of this work, may be more rapid than any can now venture to anticipate. The instruction and civilization of a few enterprising youths, will have an immense influence on the tribes to which they belong. As the means are constantly applied, the numbers reclaimed will increase, and an increase of members will insure, in a geometrical proportion, success for the future.

The civilization of the Indians has been viewed as a work of great national importance, by many whose talents and public services have rendered illustrious the annals of our country. This was an object of great solicitude with Washington, and to all who succeeded him. Prior to the passage of the above law, the attention of Congress was invited to the subject, in almost every annual message from the Executive. If the policy of this measure were considered merely as a question of pecuniary interest, it is believed that but few would hesitate to sanction it. That it inculcates the most friendly disposition, on the part of the Indians, no one, well informed on the subject, will venture to deny.

They understand the motives of the government, and properly appreciate it. So far as the benefits of this policy are extended, will this feeling be cherished, and it affords the safest guarantee against future wars. To say nothing of the valuable lives which have been lost in the Indian conflicts we have had, how much treasure has been expended in our defence! More money was expended in protecting the exposed parts of our country from Indian depredations, during the late war, than would be required, if judiciously applied, to secure the great plan of Indian civilization.

Shall we, from recent injuries, indulge a spirit of hostility against these unfortunate people? The principles of humanity, and the dignity of our government, forbid it. There is much in their condition to excite our sympathies, as men, and our protection, as Legislators. They have been driven from this wide domain, to a territory far less desirable and of limited extent. They are constantly receding, as we are advancing.

The Indians are not now what they once were. They have partaken of our vices, more than our virtues. Such is their condition, at present, that they must be civilized or exterminated;

no other alternative exists. He must be worse than savage, who can view with cold indifference, an exterminating policy. All desire their prosperity, and wish to see them brought within the pale of civilization.

From the various lights in which the Committee have viewed the policy of this law, they are convinced that it is founded in justice, and should not be repealed. They therefore submit to the House the following resolution:—

Resolved, That it is inexpedient to repeal the law making an annual appropriation of ten thousand dollars for the civilization of the Indians.

N. B. The foregoing paragraphs are not the whole of the pleasing Report; but these extracts will afford some consolation to balance the regrets occasioned by the Georgia demands respecting the Cherokees. We recollect no other Report in Congress, more expressive of enlightened and Christian philanthropy.

EDITOR.



5
iv - 7 407.17 2

DEFENCE
BY
MR. COMMISSIONER BOGY
BEFORE THE
COMMITTEE ON INDIAN AFFAIRS
OF THE
HOUSE OF REPRESENTATIVES.

By an accident, there was inserted in a large portion of the first edition of this Speech the most abusive and scurrilous part of the speech of the opposing counsel, and the most important part of my own argument, as well as the testimony of Mr. John Dolson, an American manufacturer of cloths and blankets, were left out. This begins at page 17, and ends at page 32, inclusive. I request all persons to whom this spurious copy was sent to "cast it into the fire," and to read the copy now sent.

WASHINGTON CITY, February 18, 1867.

LOUIS V. BOGY.

End 2
all inserted

DEFENCE
BY
MR. COMMISSIONER BOGY

BEFORE

*The Committee on Indian Affairs of the House of Representatives, sitting
in compliance with the following Resolution:*

THIRTY-NINTH CONGRESS—SECOND SESSION.

CONGRESS OF THE UNITED STATES.

IN THE HOUSE OF REPRESENTATIVES,

December 19, 1866.

Mr. INGERSOLL submitted the following, which was agreed to:

Whereas, The Commissioner of Indian Affairs did, on the 21st day of November, 1866, advertise for sealed proposals for supplying the Indian Service with certain goods, wares, and merchandise; *and whereas*, it is reported that said Commissioner did, on the 18th day of December, 1866, award the contract for supplying said goods, wares, and merchandise, on a bid much higher, and on samples inferior to those offered by other parties: Therefore be it

Resolved, That the Secretary of the Interior be directed to transmit to the House Committee on Indian Affairs, the bids received on the 15th day of December, 1866, by the Commissioner of Indian Affairs, in compliance with the advertisement above referred to, and the award made by him on the 18th day of December, 1866; and all papers received by said Commissioner in any way relating to said bids and awards, together with all samples accompanying said bids; and that said Committee be directed to examine into the action of said Commissioner, and report the result of their investigation to this House; and in the meantime the Secretary of the Interior is directed to suspend contracts based upon said awards.

Attest:

(Signed) EDWARD McPHERSON, Clerk.

Summing up by Mr. Commissioner Boggy in his own defence.

WASHINGTON, D. C., Saturday, January 12, 1867.

MR. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE:

After a professional service of some thirty years, this is the first time I ever appeared before any court or tribunal in defence of myself, and on this account I labor under some embarrassment. I join you in a feeling of grateful congratulation, that we are approaching the end of this long, tedious, and disagreeable investigation—disagreeable to you as to me, not because I feel that I did wrong, but because I feel that I am pleased before you and the whole country in the attitude of a dishonest public servant. That is the attitude in

which I have been placed for the last three weeks by the public press, by the public voice, by all the efforts that could be made in hotels, on the streets, on the highways and on the by-ways, as a faithless public servant who had failed to do his duty in the disbursement of a few dollars. Much as I regret this investigation, so far as I am concerned personally, nevertheless, it is for the public good that it has occurred. It will enable me, even in the brief space allowed me, to place my actions, and all that I did with reference to the award of these contracts, and my views of Indian policy before the Committee and before the country.

Mr. Chairman and Gentlemen: I desire to say nothing unkind of my predecessor, or of any of my predecessors, when I say the country has for some time back been filled with rumors of Indian frauds and violations of contracts; of speculations and speculations throughout the vast ramifications of the Indian Bureau. When I took charge of that Bureau I was informed that that was the status of the Bureau, and that if I attempted to reform its abuses I would necessarily have to encounter tremendous opposition. I never sought the office. I do not seek to retain it now; but while I do occupy that office, I will, to the best of my ability, without fear, favor or affection, discharge all the duties that devolve upon me. As an officer of the Government, I have the right to have my views of duty, or, to use the modern language of the day, to have "my policy." It is my duty, as it is the duty of every man occupying a public position, to have some great object to accomplish. My object in this thing was to reform abuses, to check speculation, to stop this terrible greed for money, indulged in at the expense of the lives of the Indians, at the expense of the peace of the country, and particularly at the expense of the peace of my section of the country. As I knew, and as I have proven before the Committee, that Indian goods had been delivered of a very inferior quality, I determined to accept only good goods and to pay fair prices, and I have done so. I have for years advocated the doctrine, and have proclaimed the fact publicly, that it was a disgrace to this people, that, while we clothe our soldiers, who fight the battles of the republic, with goods of American manufacture, the Government has year after year gone to England to buy blankets and cloths to clothe the American Indians. I have said that that was a shame. I said so in the public prints in my city years ago; and when I took possession of this office I inquired whether I had the power to reform the abuse, and I was told that I had. When those bids were opened in my office, I announced to the bidders, before I knew one man of them, that it was my intention to take American goods, made of American raw material, regardless of the price, provided that the price was not too far out of the way. I did so, and there is where I stand to-day. I have taken only good goods, because it is a duty which the Government owes to the Indians to protect their interests. The money disbursed by the Indian Bureau does not belong to the Government, but to the Indians. It is their money, and they have a right to require that it shall be properly expended for their benefit. It is also the duty of the Government to patronize American manufactures, particularly at this time when our manufactures are languishing, and when, owing to the excessive issue of paper money, growing out of the recent war, the prices of labor and of raw material are so high as to prevent our manufacturers from competing in the markets of the world with foreign fabrics. I therefore, so far as I could, was determined, and so proclaimed it, to take American blankets, made by American hands, and from wool grown in the prairies of the West where I reside. I have carried out that determination. I accepted the bid for the only American blanket presented, made of American wool, and I accepted the bid for the only cloth presented that is to be made of American wool. I wish the Committee to recollect that not one of those bidders, except the man to whom I awarded the

contract, proposed to furnish a blanket of American wool entirely, or a yard of cloth of American wool entirely.

With a view to place myself in a proper attitude before the Committee and to make my remarks brief, I will read extracts from my testimony as part of my speech.

"WASHINGTON, D. C., January 21, 1866.

"LEWIS V. BOGY, sworn and examined.

"BY THE CHAIRMAN:

"Question. Is this paper which you have produced here a copy of the advertisement inviting bids or proposals for Indian goods?

"Answer. Yes, sir.

"Ques. In response to that advertisement, how many bids were received at your office?

"Ans. It would be well, I think, as a matter of explanation, that I should state why I framed this advertisement in the manner in which it is framed.

"On the 1st of October, 1866, my predecessor, Mr. Cooley, published an advertisement calling for bids for the supply of Indian goods, a copy of which I have in my hand. Those bids were to be opened on the 22d of October. In the meantime I was appointed Commissioner of Indian Affairs, but had not yet entered on the discharge of my duties, not doing so until the 1st of November. As soon as I saw the advertisement I called upon Mr. Browning, the Secretary of the Interior, and told him that I considered the advertisement objectionable in several particulars, which I mentioned to him, and I requested him to direct Mr. Cooley to withhold the advertisement. Mr. Browning told me to make to him a written statement of my objections, and if they were good he would comply with my request; if not, he would permit the matter to go on. I presented my objections to Mr. Browning. My first objection to the advertisement was this: It called for first-class goods, which are all woolen goods, consisting of blankets alone; as Mackinac blankets, which means English blankets; at least it has always been so considered heretofore. My first objection was that I thought we should, if possible, buy American goods, and in the advertisement which I subsequently framed, I said "Mackinac blankets, foreign or domestic," so as to take in, if possible, American goods.

"My second objection was, that there was a very large quantity of goods enumerated in the advertisement which were utterly useless to the Indians, and which I knew, of my own knowledge, the Indians had no use for; for they had no means of transporting them except by their horses. For instance, it called for 2,000 yards of green cloth, whereas the fact is that you cannot make an Indian wear green cloth. It called for 75,000 yards of calico, and the fact is that the Indians will not wear calico if they can avoid it. They only use it for the dresses of their women, and as the women sleep with their clothes on a dress would only last a few weeks. It called for 10,000 yards of blue denims, which are of no use at all to the Indians; and when they get them they are taken and traded away to the traders and sutlers.

"It called for 2,000 yards of shirting, striped, which is only used in very small quantities.

"It called also for checks, stripes, and plaids, which are not wanted. Jeans are needed, but not to the amount called for. Assorted flannels are not generally needed. I came to the conclusion that these things, besides heavy kerseys, woolen shirts and calico shirts, cotton *waiver*, and some other articles, were not needed.

"The advertisement also called for bids for an immense quantity of articles which I considered were not needed by the Indians unless they were bought by them from their traders.

"It was by consulting with Indian traders and agents that I ascertained that *fiat*. Mr. Jarro, who was for a long time Indian Agent at Fort Laramie, and who is a very intelligent man, told me that these things were not needed by the Indians. It is possible that some of them might be wanted in small quantities, but not in sufficient quantities to justify an advertisement in advance.

"Another objection that I had to Mr. Cooley's advertisement was, that it contained the provision: 'The right will be re-versed to require a greater quantity of any of the articles named than that specified in the above schedule, not exceeding three times the amount thereof, or to take any less quantity of the same at the prices proposed.'

"I reformed the advertisement by striking out that last clause, not reserving to myself the right to take less than the quantity called for, which I thought would be wrong; because if a friend should get the bid you could under this clause take three times the amount called for; whereas if an enemy got it you might take a great deal less. I reformed the advertisement in that particular, so as to strike that out. I modified it so that I could increase the quantity, but had no right to decrease it."

"I take it for granted, gentlemen, that the man who occupied that office, however small his intellect may be, ought to have sense enough to know the minimum of his wants. He may not know the maximum, but he certainly should know the minimum.

"Another objection I had to Mr. Cooley's advertisement was, that it called for the goods to be delivered in New York City. The operation of that requirement heretofore has been, that no man in America could furnish these goods except a New York man. I thought this was a great outrage, and I so reformed it. Under the old system no man in Boston, Philadelphia, or Chicago could compete with the New York merchants, because their goods would have to be transported from those places to New York, and the cost of transportation would place them on an unequal footing with the New York men. I reformed the advertisement so as to provide that the goods might be delivered in St. Louis or in New York."

And here let me explain: It might be supposed that because I am from St. Louis I indicated that city as the place where the goods were to be delivered; but I submit to the Committee whether I was not right in selecting that point? All these Indian goods, except those for the Indians on Lake Superior, and in that region of country, which should be bought in New York,) have to go from St. Louis. St. Louis is the shipping point for the Indian country by the Missouri River, and also by way of Kansas and Leavenworth, the Indians' inland in the country towards Arizona, Nevada, New Mexico, Utah, &c. St. Louis is the point where these goods naturally concentrated. Merchants living in Louisville, Cincinnati, Chicago, Philadelphia, Boston, and Baltimore can compete for delivery of goods at that point with New York merchants. That does not operate any injustice on New York merchants, but it places merchants in other parts of the country on the same footing with them; and I am sure the Committee will say that that is right.

"I put in St. Louis because that is the shipping port for the Indian country, and nine-tenths of the goods intended for the Indians have to come to St. Louis.

"I changed the wording of the advertisement and modified it greatly, to the best of my judgment.

"It will be observed that by my advertisement, as well as by that of my predecessor, it is provided that *no bid shall be taken from any person who has failed to comply with a former contract*. I would like to call the attention of the Committee to this provision of the advertisement: 'Samples of all articles to be forwarded to this office with the proposals, and the goods furnished to be equal in all respects to the samples.'

Here I will also remark, that it has been proven before the Committee, and cannot be denied, that when I took charge of the Indian Bureau there was nothing which could properly be called samples in the office. No sample-room existed there. The first sample-room that has ever existed in the Indian Bureau has been organized by me. The first collection of samples that was ever got up in the office has been got up by me in spite of all the efforts of those men who wanted to withdraw their samples. That is proven, not by my own testimony alone, but by the testimony of Mr. Mix, who stands before the Committee as a gentleman perfectly disinterested in the matter. There was nothing there what properly could be called samples. What could I do? The practice heretofore has been to throw a few samples in the Commissioner's room—a small room—helter-skelter on the floor, and then the whole matter was arranged by a few men who were in the ring. I did better. I organized a sample-room. I called upon the Chief of my Department to appoint for me an expert. Heretofore some clerk in the office was detailed to do this duty—some man who was in the ring. The Secretary appointed as an expert a gentleman whom I never saw before. That is proven before the Committee. Whether he be competent for the purpose was not a question for me to decide, although I believe he is. But whether he is or not, what could I officially do? If I had been disposed to cheat or to deceive, I would not have called upon Mr. Browning to appoint a clerk over me.

"It was customary formerly for samples to be furnished by the Department, and the goods contracted for were required to be equal to those samples. I am prepared to say, however, that I found no assortment of fair samples in the office when I came here, (except one scarlet blanket,) which would rank as samples. The scarlet blanket, however, was said to be a sample blanket. There was no sample-room, or if there was, there were no fair samples in it.

"I found, when I took charge of the Indian Department, that the goods which had been delivered last year for the Indians were of very inferior quality, and the agents who spoke of them, spoke of them in very harsh terms. I asked Mr. Mix to furnish me with the names of the parties who had furnished the goods to the Cheyennes and Arapahoes, and he informed me that those goods had been purchased from Buckley, Sheldon & Co., of New York. I thought the matter over a whole day, and, after the bids were opened, I asked Mr. Wheeler, who represented the house of Buckley, Sheldon & Co., whether that house had furnished the goods for the Cheyennes and Arapahoes, and he answered that they had. I held their invoices in my hand and knew it to be so. I told Mr. Wheeler that, according to the advertisement, persons who had failed to comply with former contracts were excluded from the bidding, and that the proof was on my table, positively, that the goods furnished last year by that house to the Indians throughout the country were of very inferior quality; that the blankets for which they charged \$13 were not worth more than \$2 a pair, and therefore, I said, that I would exclude the bids of that house, however disagreeable it might be to me."

That is my testimony, and it has not been contradicted by a single witness. Why should I not exclude the bids of these men? It is said in the argument on their side, that there is no proof that they violated their contract; but I rely upon the intelligence of the Committee to do me justice in this matter. I brought the report of Governor Faulk, of Dakota—a gentleman whom I never saw in my life—and read it to the Committee; also, the report Mr. Conger, the report of Mr. Hudson, the report of Mr. Potter, the report of Governor Cumming, the report of Mr. Irwin, the report of Colonel Bent, and others, stating that the goods furnished to these Indians by Buckley, Sheldon & Co. were infamous, outrageous. Before you yesterday, here, Mr. Irwin testified that he was compelled to buy other goods in the Cheyenne country to prevent those Indians from

going to war because the annuity goods furnished them were deficient in quantity and bad in quality. What was I to do? It is stated in the advertisement that if any bidder had failed in previous contracts, his bid would be excluded. What is a Commissioner to do under such circumstances? Is he to run along with these speculators and permit them to go on with their nefarious proceedings lest he may encounter their opposition? or is he, as an honest man, to do his duty and to tell these men, no matter how high they stand in New York or elsewhere, "You have failed to comply with your former contract, and I therefore exclude your bids?" I know, and some of you, gentlemen, ought to know, and do know, that all our Indian troubles which involve the Western country in wars, are owing to this infamous practice of furnishing them poor goods, as these men from New York did, with blankets that were not worth two dollars a pair and charging thirteen dollars a pair for them. I have exhibited one of those blankets to the Committee, and they are not good horse blankets. Think of the infamy of this Government, through its Indian Bureau, thus treating these poor people. Whose money is expended? It is their own money. The Government has recognized the right of the American Indians to sell their land. No matter what the legal right may be according to the law of nations or of States, that right has been recognized. The Government takes their lands from them and agrees to give them in exchange a small amount in annuity goods every year. And what do they get? What do you give to a poor Indian living near the 49th degree of latitude? One blanket a year, and that a miserable blanket which cannot protect him from the soft breezes of early spring or early fall, much less from the deadly blasts of winter. That has been the case. It has been proven to the Committee and cannot be successfully denied. I would have resigned my office and walked all the way back to my native State rather than permit wrongs of that kind to be practiced while I occupy the position of Indian Commissioner. I have no false sympathy for the Indians; but, as a Western man, and having been much among them, I feel for their condition and I want the Government to do its duty by them. Hence I told these bidders that I would not accept the bids of any one who violated their former contracts. I trust the Committee will remember the fact; and while I am on that point I will refer briefly to a matter that is also in the testimony.

A report was made to the Indian Bureau by Mr. Johnson, who was appointed by Mr. Commissioner Cooley to go to Dakota. The report is included in the annual report made by Mr. Cooley. It is a special report.

I refer to the deposition of Charles E. Hedges, taken June 23d, 1866, at Yankton Agency, Dakota Territory, in regard to the conduct of Indian Affairs in the Dakota Superintendency.

I read from his testimony:

"Question. Did you see the goods brought to this Agency for the Indians last year? If so, state what was the quality of them.

"Answer. I did, sir. They were of a very inferior quality; in fact, every year I have been here, except the first, the goods sent here were very inferior, and I have often been selling at retail in my store at a less price than the Indian goods were invoiced. Many of the goods also were useless, and of no service to the Indians. The blankets, particularly the colored ones, were very inferior.

"Ques. From your experience in purchasing Indian goods, about what was the value of the blankets received here for the Indians as compared with first-class and full weight Mackinac blankets?

"Ans. I regard it that on the three-point blankets there was a difference of about \$4 00 per pair. A three-point blanket should weigh eight pounds; those received here did not exceed six pounds.

"Ques. How were the prints and other cotton goods?

"Ans. Generally of an inferior quality, particularly bed-ticking, brown drilling, demins, and blue drilling.

"Ques. What was the quality of the shawls?

"Ans. Of very coarse texture, not worth over two-thirds of the contract price.

"Ques. How was the hardware?

"Ans. The hardware was rough and clumsy, and many things were put in that were of no value to the Indians. The Indians generally expressed great dissatisfaction with the hardware.

"CHAS. E. HEDGES."

Mr. DAVIS remarked that the goods in question were not furnished by Buckley, Sheldon & Co., and called on Mr. Mix to verify that statement.

Mr. MIX remarked that the Commissioner was under a misapprehension, that the question was in reference to the goods brought to the Agency the preceding year; and that Buckley, Sheldon & Co. did not deliver any goods until February, 1866.

Mr. BOGGS. It matters not. This is a report made to the Congress of the United States in July, 1866, and it is found among the archives of my office, and proves that bad goods have been furnished the Indians. I have read the report of Governor Fulk, the Superintendent, the report of Agent Potter, the report of Agent Conger, and the report of Mr. Norton, which is also partly excluded from the annual report because it tells of these things. But I read it, and that additional report will have to be published if you wish to give the facts to the country. What was I to do under the circumstances? Had I not to use my discretion? Is the person who occupies that office to be deprived of all discretion when he thinks a fraud of this kind is being perpetrated? Certainly not. I now refer back to my former testimony.

"Question. Have you a copy of the bids?

"Answer. Yes; and according to the bids they would have no chance for the contract.

"I thought it due to the country that this principle should at once be asserted, for I was satisfied that the goods delivered to the Indians for many years past had been of very inferior quality.

"I told Mr. Wheeler that I would not argue the matter with him. He then said he would withdraw his samples, to which I objected, telling him that I would retain a copy of the bids and his samples and pay him for them."

That game was attempted to be practiced on me. All these men, when their bids were excluded, attempted to withdraw their samples. Mr. Stettaner, himself, although he denied it under oath, came to my room and wanted to withdraw his samples. Although my testimony should not be taken for more than Mr. Stettaner's, still mine is corroborated by Mr. Mix, and his is not, and, according to all the rules of evidence and common decency, mine should prevail. He came to my office, he and all the others, to withdraw their samples. I told them that although I was but a short time in the office, I would stop that game, and would retain their samples and pay for them. It was suggested to me, that there was no money appropriated for that purpose, but I told Mr. Mix that I would pay it out of my own pocket. I retained their samples. If I had been disposed to be dishonest, if these samples were so superior as they say, is it likely that I would have retained them? On the contrary, every one of the samples would have been taken away long ago, but I retained them in spite of all their efforts.

"Most of the bidders objected to having their samples retained, and they all asked to withdraw them, but I declined to permit them to do so. The bid of Buckley, Sheldon & Co. was not considered at all. It was excluded by the very

terms of the advertisement, and I had followed the very terms which Mr. Cooley had prescribed.

"The proposals were to be opened at 12 o'clock M. on the 15th of this month. I requested Mr. Browning to send down one of his clerks to be present at the opening of the bids, and I directed Mr. Mix to go and bring in the clerk. Mr. Browning sent down Mr. White, one of the chief clerks in his Department. The bids were opened by Mr. Mix, and handed to Mr. White, and recorded by Mr. Hayden in the presence of all those gentlemen.

"After the bids were opened I said to the gentlemen present, that if any of them wanted further information, or had not taken sufficient memoranda they could now do so; but they were all satisfied. I then stated to them that I was very anxious to reform the system of purchasing goods in the particulars that I have stated: First, To get a better quality of goods than had been furnished for some years past, and secondly, I told them that I wanted in every instance to get American manufactured goods in lieu of foreign goods. There was, of course, a great deal of objection to that, because that rule would exclude many of the bidders. In answer to a question whether I would adopt that rule arbitrarily or not? I said no; that in some cases the disproportion in price might be so great as to compel me to take foreign goods instead of American, but that at a reasonable difference I would feel obliged to give the preference to American goods. I then told them that a sample-room had been provided; that the samples would all be assorted there, and that at a certain time they could go in and examine them. I understood that this had not been done heretofore.

"I will state here that I knew none of these bidders excepting one or two, whom I knew as outside gentlemen and not as bidders. In every instance where they had been pressing on me, I had invariably referred them to Mr. Mix, telling them that I had no experience in this business at all, and that whatever Mr. Mix's decision might be, that would be my decision. I had only certain general views about it.

"The bids were opened on Saturday last. I do not recollect now whether they were examined on Saturday or not, as I did not go into the sample-room for some days; but upon the day when the bids were examined, or at some time before that, I requested Mr. Browning to appoint an expert to examine the goods, as I was not a merchant myself. Mr. Browning appointed a young gentleman as a competent man, and of course his appointment was binding on me.

"Question. What was the name of the person so appointed?

"Answer. Jonas. He is here now in the room.

"Mr. Mix and others examined the samples, and on Monday, when the bidders were in to examine them, I went in with them and we examined them all. My examination did not amount to a great deal. I told them that I would consult with Mr. Mix and communicate with them in a day or two.

"The bids for Class No. 1 varied from \$51,000 and a fraction to \$171,000 and a fraction, making a difference of \$120,000 in the prices of that class of goods."

"By Mr. HENDERSON:

"Question. On the same amount of goods?

"Answer. On the same quantity, the only difference being as to the quality. And here I will read an abstract of the bids for the 1st Class, which the Committee can compare with the bids themselves. These are the amounts of the different bids: \$94,000, \$97,000, \$80,000, \$94,000, \$121,000, \$96,000, \$171,000, \$51,000, \$96,000, \$108,000, \$99,000, \$102,000, \$104,000, and \$121,000.

"The bids for the 2d Class, which was composed of list cloth—a cloth used by the Indians—varied from \$28,000 to \$49,000. The bids were \$32,000,

\$28,000, \$32,000, \$28,000, \$49,000, \$36,000, \$37,000, \$32,000, and \$35,000."

One of the gentlemen of the Committee (Mr. Clarke) seems to be under the impression that there is no difference between Indian cloths and other cloths. There is a very great difference, and I think I have established that fact. One of the fundamental differences is, that cloths for ordinary use are dyed in the wool, while Indian cloths are dyed after they are made. I am made differently, pressed differently, and dyed differently; and yet those experts from New York who were examined did not know the difference.

"On the 3d Class, composed of dry goods, the bids varied from \$69,000 to \$121,000. They were: \$80,000, \$69,000, \$77,000, \$78,000, \$121,000, \$79,000, \$69,000, \$82,000, \$112,000, \$77,000, \$76,000, and \$71,000.

"The hardware item was a very small one, amounting only to \$3,000 or \$9,000, and no bid was put in for it that was actually accepted. The knives, of which samples were sent in, were very inferior, so that we could not accept them. They were only cast iron, and not worth \$1.50 a dozen. I paid but little attention to them. I decided in favor of Mr. Hunt's axes. They were the only axes in the whole lot that are known as Collins' axes. His bid was no higher than the others, but we took his bid, and he agreed to put in Russell's butcher knives, which are the ones always used by the Indians. My decision in the case of these contracts was made after a careful examination of the goods with Mr. Mix, Mr. Jonas, and Mr. Bent, who has been for forty years an Indian trader, and who had no interest whatever in the bids. They all pronounced Mr. Bates' goods, in the first class, to be first class goods. Mr. Bates put in two bids, one at \$90,000 and one at \$108,000. The latter bid was higher than some, and lower than others, but his goods were infinitely better than the others. He had splendid samples of white blankets, scarlet blankets, and blue blankets. None of the other samples would compare with them at all. His goods, too, are of American manufacture and materials."

I was informed, and so believed, and the testimony shows that my belief was well founded. I did not pretend to be a judge myself. I was so informed, and might have been deceived; but it so turns out that I was not deceived.

"In order to be very cautious in the matter, I reserved my decision for a whole week, so as to get the opinion of some old merchants, who could go with me and Mr. Jonas and examine the goods and advise with me whether to take the bid for \$108,000, or the bid for \$90,000."

The Committee will recollect that, Mr. Bates having put in two bids for the first class of goods, one of \$108,000 and one for \$90,000, I accepted those bids, but reserved my decision as to whether I should take the \$90,000 bid or the \$108,000 bid, until I had time to consult somebody in whom I had confidence. It is not true in point of fact that I have taken the \$108,000 bid. I left the question open. I had one week in which to decide the question, which I thought would be ample time. It was done openly and above-board, with no secrecy about it. Whether my right still continues I cannot say, but I presume there will be no objection to it. I have not spoken to Mr. Bates since about it.

"Question. Mr. Bates, then, had two bids?

"Answer. Yes, sir. I consulted with Mr. Mix, and he said that there was no objection to that; he said that any one could put in two bids, if he put in two different samples. Mr. Bates complied with the law, in leaving samples for all the articles for which he offered bids.

"Only three of the samples out of the whole lot came up to what was required. Those were the samples of Mr. Bates, Mr. Evans, and Mr. McKnight. All the

others were remarkably inferior. The goods of Stettauer & Bro., and of Perry Fuller, were inferior to the rest. The goods of Buckley, Sheldon & Co. were also inferior, but they were better than those of Stettauer or of Fuller. The experts rejected all the samples except the three I have named. It was then a contest which of those three parties—Bates, McKnight or Evans—should get the contract.”

There were only three samples that approached anything like the blankets I wanted—Bates', Evans', and McKnight's. Bates' is of American manufacture, made all of American wool. I was informed that the blue was an indigo blue blanket. The chemical test made before the Committee, proves that it is so. The others were of American manufacture, but partly of foreign material. Their blue blankets were very inferior, and so were their scarlet blankets. Their blue blanket was a logwood-dyed blue, while Bates' was an indigo-dyed blue: and the tests made here yesterday prove those facts.

“Before I made the decision I got Mr. Browning to come down and look at the goods. He said that he was no judge of goods, but I said I was very anxious to get him down, and I related to him all the circumstances, and he approved of my course.

“In regard to class No. 2, I determined to give the contract to Mr. Bates, for the reason that the samples furnished by him were all of a superior quality. These men (Bates & Co.) are regular merchants, and have always the goods on hand, and, as I had reserved the right of increasing the orders, it was desirable to give the contract to manufacturers themselves, and have always the goods on hand. If you give the contract to speculators, and afterwards find that you want to increase the quantity, you cannot, probably, get the same class of goods from them, for they must go into the market to buy them.”

I will here state, that according to the former proposal, nobody could put in a bid unless he was a wholesale dealer or manufacturer. I changed it so as to let everybody put in bids. I was told, by one of my predecessors, that I committed a great error in that, because as soon as I opened the bids to everybody, proposals would be put in by persons who would not comply with their contract unless it paid them all the time. I am now satisfied that in that respect I did commit an error, and that contracts for these goods should be confined to manufacturers and wholesale dealers. Mr. McKnight was not a manufacturer or wholesale dealer. Mr. Evans is not a manufacturer of blankets, and he could not tell me, when examined, and would not tell anybody where he got his sample. The Committee will recollect that he declined to state on his examination where he got his blanket; but it was a Dobson blanket, made of foreign wool. He was afraid that he would not be able to supply that blanket and so he declined to tell the Committee where he got it. Now, how could I trust him to triplicate his contract? I would not take his blanket because I was informed that it was made of foreign wool, in part. I would not take his cloth, because his bid did not say that he was going to put in a thread of American wool. They were foreign samples, made in England, and I wanted American goods. He would not tell you where he got his sample. Why? Because he could not furnish the same blankets. I therefore determined to give the contract to Mr. Bates, because I was told that his samples were the best. The only three bidders that came up at all to anything I required, were those three—Bates, Evans, and McKnight; but in the choice between them I gave the preference to Bates for the reasons stated.

“As to the 3d class of goods—the dry goods—the bids varied from \$69,000 to \$121,000. Mr. Farwell put in two bids, one for \$79,000 and the other for \$69,000. I looked at his samples and have not yet decided, as I have one week to do so.”

Let me draw the attention of the Committee to this point. Why did these men put in bids varying so much? It was because, while putting in one sample of goods, they intended to supply another kind. Do you think that a man who offers to supply blankets at \$51,000 which others offer at \$100,000 and \$170,000, will not cheat if he gets the contract? How can it be prevented? I do not care how good a merchant he may be, if he makes a contract with a man who intends to cheat him, he cannot prevent his doing so. He may examine a few samples; but where there are 500 or 600 bales of blankets and dry-goods to be received, how is he going to prevent fraud? Can he open all these packages of blankets and inspect them? They cannot be opened, for they would have to be put in a press to get them together again. He must trust his contractor. He cannot find out the fraud until the goods have gone to the Indians and been distributed; and when the contractor has received his money and you find he has given you bad goods, you may whistle after him. In illustration of this, I cite the case of Buckley, Sheldon & Co. I have no feeling against these men. I never heard of them in my life before. I do not know them personally, politically, or any other way. I have proven to the Committee that they had a contract to furnish last year 6,900 blankets, with a right reserved to the Bureau to triplicate that quantity, which made nearly 21,000 blankets, which they were to furnish at contract price; and yet they furnished less than 6,000 blankets under the contract, at \$10 00 a pair, while they furnished upward of 6,000 in open market, an inferior article, at \$13 00 a pair. Now, the question arises, did they violate the contract? I think, as Commissioner, that they did. It may be that in law they did not. It may be that it was my predecessor who committed the fault, and that, instead of calling on these men to comply with the terms of their contract, he called upon them to furnish goods in open market. But I take the common sense ground that, having entered into the contract, they were bound as honorable men to furnish goods of the same quality in open market as at contract price. There might be a suit instituted against them; but what would it amount to? The law says that they shall be liable in damages to fifteen per cent; but what do they care for that, when they furnish blankets worth \$2 00, and charge \$13 00 for them. Therefore I say, you must not only depend upon your contract, but you must also, if you are a prudent officer, look a good deal to the men you contract with. I was governed a good deal by that view, and I think that any prudent business man would act so.

“I may have committed an error of judgment in the matter, but I took unusual pains to make a correct decision.”

I never pretended to be a merchant or a good judge of such things, although I believe I am as competent a judge as some of those fellows who have been rotted down here from New York as experts.

By Mr. DAVIS:

“Question. Did I understand you to say that Mr. Stettauer's samples were all foreign goods?”

“Answer. I understood so from Mr. Jonas. Mr. Stettauer demanded to get his samples to take them away.”

“Ques. Was not his request or demand to be allowed to pack them up himself, so that they could not be changed in his absence?”

“Ans. I was very careful in this arrangement about the samples. Mr. Stettauer insisted on having his samples returned to him. I told him I would pay him for them, but that I would keep them. He said, then, that if he could not get them back, he claimed the right of packing them. But his first application was to withdraw the samples entirely. That demand was made by many others as

well as by him. I think there should be an accumulation of samples in the office as a guide for the Department in giving out future contracts.

"*Ques.* I ask whether his demand was not that his samples should be so packed that they could be identified?

"*Ans.* He claimed the right of withdrawing them. I may have thought it was, perhaps, a little arbitrary to keep them under such circumstances, but yet I kept them.

"*Ques.* Was there any objection to the bid of Stettauer & Bro., except as to the quality of their goods?

"*Ans.* I was very much annoyed by Mr. Stettauer. His conduct was very improper. I would not voluntarily mention it, but if you want to know about it I will tell it, although it is very unpleasant for me to do it. I was informed that improper appliances were being used to secure the success of Stettauer's bid. I was informed that bribery was being used by him, and that advances were being made, which I deemed improper. None such were made to me.

"*Ques.* Was his bid rejected on account of any such conduct, or was it rejected because you considered his articles inferior?

"*Ans.* Because I considered his articles inferior.

"*Ques.* You had no objection to the firm?

"*Ans.* I never heard of the firm before. As I came out of the Interior Department one day I met Mr. Perry Fuller, with whom I was acquainted, and he made application to me to have the samples of Buckley, Sheldon & Co., and he wanted to know if I had any objection to that arrangement. I replied, in general terms, that I had no objection, and could see no harm in making the transfer, and that, if upon further examination I found it to be wrong, I could have it checked. He then made application in writing to have the samples of Buckley, Sheldon & Co. transferred to Stettauer & Bro. But, after considering the matter, I thought the transfer should not be made. But the transfer was made of Buckley, Sheldon & Co's samples to Stettauer & Bro.

"Stettauer himself admitted that his samples were inferior, and therefore he wanted the samples of Buckley, Sheldon & Co. in place of his own. On consultation, I decided that the transfer was not right, as it would work great injustice to other parties.

"*Ques.* In what respect would it work injustice to other parties?

"*Ans.* Where bids are given on samples I consider it unjust to allow those samples to be swapped about in this manner.

"*Ques.* Did this take place after the bids were examined?

"*Ans.* Yes. After Stettauer made up his mind that his own samples were inferior.

"*Ques.* He never informed you—did he—that he considered his samples inferior?

"*Ans.* He informed Mr. Jonas, and Mr. Jonas informed me. I saw very little of these parties. I walked about the sample-room and stayed there for a few moments. In former years the competitors had been confined to wholesale dealers and manufacturers, but I thought it should be open to all to compete, and that is the reason why the competition this year is so general. In former times nine-tenths of these competitors would have been excluded."

In that respect I think I committed an error. I think competition should be confined to wholesale dealers and manufacturers.

"*Ques.* Were any bidders excluded except Buckley, Sheldon & Co. for any reason whatever?

"*Ans.* No, sir. Their house furnished the inferior goods last year, and therefore they were excluded.

"*Ques.* Was not a bid from Mr. Fitzpatrick thrown out?

"*Ans.* No, sir. There was no objection raised to Mr. Fitzpatrick's bid.

"In reference to these samples a manufacturer, named Kingsbury, came here from Hartford, Connecticut, but got here too late to put in a bid for the cloths. I showed him the cloths that I had contracted for, and he said that I had made an admirable selection, and that the price was lower than he had intended to offer them for. He said that there was a great difference between American and English manufactured articles of this kind, and he explained to me the difference, which I do not now recollect. The American article, I believe, is superior in the filling and warp, but I do not understand the particulars.

"He said, however, that the decision I had made was a most admirable one.

"Mr. Wheeler, in a conversation with me, stated that the goods furnished by Buckley, Sheldon & Co. under the contract were good, but that the goods afterwards furnished by them, purchased in open market, may have been inferior, although the price of the contract goods was only ten dollars a pair, and the others were thirteen dollars a pair."

"They claim that these goods furnished in open market did not come under the contract. They admit that the goods were inferior, but say that that was a matter between them and Mr. Cooley. A man who would act thus ought to get no more contracts. I would not give them to him as a private man, and will not as Indian Commissioner.

"As I have already stated, I have evidence in the office that the goods furnished to the Indians last year throughout the whole country were very inferior.

"*Ques.* In open market, does not every seller get as much as he can for his goods?

"*Ans.* Yes.

"*Ques.* Give the names in full of the parties appointed by you or by the Secretary of the Interior to examine these goods?

"*Ans.* There was only one party appointed, and that was Mr. Jonas.

"*Ques.* Was he appointed by the Secretary of the Interior?

"*Ans.* Yes, sir.

"*Ques.* Was the award made on the representation of the Committee, or was it made on your own judgment?

"*Ans.* It was made on my own judgment. I have never seen any Committee on that subject. I will give the whole history of the matter. I consulted with Mr. Mix, who has been in the Bureau for thirty years, and with Mr. Jonas about these bids. All the bids but three were considered out of the way, the samples being inferior. That is in reference to the first-class goods. The difficulty lay in deciding afterwards which of these three should get the contract. The blankets of all three were good, especially the white blanket, but the blue and scarlet blankets of Bates were the best, and we consequently concluded to give the contract to Bates. There was only a difference of about fifty cents a blanket in the price, and I thought that his blankets were well worth that difference.

"*Ques.* Have you determined which of Mr. Bates' bids you will accept?

"*Ans.* I have been precluded from making any determination upon that point by the resolution of the House. I have certainly determined to secure Indian goods of good quality at reasonable prices.

"*Ques.* You have simply decided that Mr. Bates shall have a contract under one of his bids, but you have not decided under which one?

"*Ans.* Yes, sir. I have so decided. My opinion is, that he should have a contract under the \$108,000 bid, as that is, perhaps, the best for the Government, although it may appear a little higher than the other bids.

By Mr. HART:

"*Question.* State to the Committee what the usual amount of goods purchased for the Indians is.

"*Answer.* Last year there was about \$300,000 worth bought at contract prices. Add to that the goods bought in open market, and some goods purchased for the Navajoes, and the total sum would amount to about between \$500,000 and \$600,000.

"*Ques.* Would that sum cover the whole amount?

"*Ans.* I think so.

"*Ques.* You stated in your examination that there were a certain class of goods called for in the advertisement which were not wanted by the Indians. How much calico has been purchased for them heretofore?

"*Ans.* An immense quantity.

"*Ques.* Had calico been always purchased for the use of the Indians?

"*Ans.* I understood so; for some years.

"*Ques.* And this the first exceptional case where it has not been purchased?

"*Ans.* Yes, sir; within the last four years..

"*Ques.* Have any of these contracts been signed yet?

"*Ans.* No, sir. When I got notice of this resolution of the House I came to a full stop at once.

"*Ques.* Have any of these goods been furnished?

"*Ans.* Not a dollar's worth. The decision of the Department was, that the resolution of the House was not binding on me; that the law having been passed I should obey it. But still I do not want to take that ground, and I have accordingly suspended operations until this matter is disposed of.

"*Ques.* Do you propose to go on with it before the close of this investigation?

"*Ans.* I would rather not."

(Without the conclusion of Mr. Bogy's argument, the Committee adjourned until Monday the 14th of January, 1867.)

MONDAY, January 14, 1867.

Mr. BOGY, resuming the argument in his own defence, said:

With a view of consuming as little time of the Committee as may be in the resumption of my remarks, I will, instead of commenting on the testimony of Mr. Mix, read it as part of my speech. The Committee will recollect I stated, that before I made any awards I called around me those aids and helps that were afforded me, consisting of an expert appointed by Mr. Browning, (and whom I believe to be very competent,) and Mr. Mix, who has been Chief Clerk of that Bureau for some thirty years, I, myself, really pretending to know very little about goods. I also stated that it had not heretofore been usual for the Commissioner so to act; that no expert had been heretofore appointed by the Secretary of the Interior, and that not even the Chief Clerk had been consulted before making the awards. I consulted those men as the helps which the law afforded me, showing that I did not intend to do anything very secretly.

Here is the testimony of Mr. Mix:

"WASHINGTON, D. C., December 21, 1866.

"CHAS. E. MIX, sworn and examined.

"By COMMISSIONER BOGY:

"*Question.* What is your occupation?

"*Answer.* I occupy the position of Chief Clerk in the Indian Bureau.

"*Ques.* Did I not tell these bidders to go to you in every case?

"*Ans.* You did.

"*Ques.* Will you state whether for some days prior to the bids being opened, when these merchants came to see me, were they not all turned over to you?

"*Ans.* Yes. About that time one or two persons came to me and wanted information regarding the character of the goods, and I referred them to you. They afterwards came back and stated they had been referred to me by you. I then had a conversation with you, and you said that in all cases of that kind you were determined to consign them all to me, and that I was to give them any information they desired.

"*Ques.* Did I not tell you my view of public policy, as to whether we should have foreign or American goods; and did I not tell you that your decision and that of the expert would be my decision; and that I wanted you to be very careful in your examination of these goods, for that I would conform to what you would do?

"*Ans.* You did.

"*Ques.* Was that afterwards in good faith carried out?

"*Ans.* It was.

"*Ques.* In my conversation with you you stated the goods supplied the Indians for some time past and before you came into office were bad, and you were determined they should have a first-rate article, the best the market could afford. Did not you and Mr. Jonas and I make a very careful examination of these goods and finally settle upon three that were far better than the rest—McKnight's, Bates', and Evans'? And did we not, after some discussion, decide on giving it to Mr. Bates? State your recollection of what took place at that time.

"*Ans.* Yes, sir. We did so, on the 15th of December, between twelve and one P. M. I was sent by the Commissioner to get the bids and have a clerk register them. Mr. White, of the Interior Department, had been detailed by the Secretary to be present. The Commissioner asked me to open the bids. I think there were twenty-seven or twenty-nine of them. I took and cut the cords and announced the names of the parties and the character of their bids as regarded class, and thereupon Mr. Hayden put it down and responded to my call, to see that it was correct, and I handed the envelope containing the bids to Mr. White. The Commissioner, when all was finished, said that from the great number of bids it would take some time, probably two or three days, before he could designate who would get the contract. The bids had to be sealed to arrive at a decision. The Commissioner also said he did not intend to be governed by the lowest bid, for he intended to have the best articles he could get.

"*Ques.* Did I not state I would prefer articles of home manufacture?

"*Ans.* That was understood at the time. On Monday morning I had the room prepared, and had the samples laid out that were up to that time in boxes. Mr. Jonas then appeared, and for the first time stated he was present as the special appointee of the Secretary, to examine these goods; and, after a conference between the Commissioner and me, it was agreed to open the bids. I will not be positive, but I think it was on the evening of that day some of the bidders indicated a desire to see the respective samples, and the Commissioner agreed that they might all be invited to do so. I think I suggested, but I will not be positive whether it was I did so or not, that as Mr. Bent was present, he should be called in to express his opinion of the goods. He was called on and examined the articles, and the Commissioner asked his opinion after they had gone over the goods together, as he considered his opinion a good one. The Commissioner called his attention to the Mackinac blankets, and Mr. Bent gave his decision in favor of what was understood to be a domestic one, without seeing the bids or knowing the prices. Finally, after sealing and ascertaining the different bids, the question came up as to the quality, and it was determined to give the Indians the best article, without reference to price. The Commissioner went up to see Mr. Browning, and Mr. Browning accompanied him down and looked over the goods and concurred in the opinion that had been expressed by the Commissioner.

Ques. Did not Mr. Bent say Mr. Bates' samples were the best?

Ans. Not regarding myself as an expert, I called the attention of Mr. Bent to several of the articles, some of which I understood were foreign articles, but he unhesitatingly referred me back to Bates' as being the best. The question afterwards arose regarding Evans' colored blankets as compared with Bates', but Mr. Bent decided that Evans' were not indigo blue and would fade. It was determined then to have the best article without reference to price, and the Commissioner said the Indian should have a good article for once."

That is the testimony of Mr. Mix. I read it here to show that, although I, as Commissioner, had the sole power, and that, had I been disposed to act fraudulently, I could have gone on in a very quiet manner and given the awards to whom I pleased. Instead of doing that, what is it that I do? I call upon Mr. Browning to appoint for me an expert, which is certainly not an evidence of fraud on my part. I call upon Mr. Mix, the Chief Clerk, and say to him "You have been here for thirty years, and are familiar with the business. I am a new comer. I wish you to be very particular, because, in the main, your decision will be my decision." It was under those circumstances I made the awards. One of the objects that I had in view was to give to those Indians good articles, as the testimony in my office is overwhelming that for some years past they have received most infamous articles of merchandise. Another object that I had in view was to give to the American Indian American goods, made up of American raw material. It made no difference to me whether the Government paid \$15,000 or \$20,000 additional, more or less, for a year or two, provided we gave encouragement to native manufactures. Believing that under the law I had the right to do so, it was done openly and above-board; and I think I did right.

I will now pass to the testimony of Mr. Dobson. I read the testimony of Mr. Mix to show that I was sustained in what I did. I could read the testimony of Mr. Bent in the same connection, but it would take a good deal of time. It is proper, however, that I should state—as some members of the Committee are now listening to me who were not present at the examination—something about it.

Mr. Wm. Bent, of St. Louis, is an old Indian trader, has been engaged in that business for thirty-eight years, has been frequently a commissioner appointed by the Government under various Administrations, has been Indian agent, has been all his life time connected with Indian business, and is a very intelligent gentleman. He was a witness before this Committee. Having no interest and no connection whatever in the matter, but being here as a special commissioner, appointed by my predecessor, to make a report, I called him in to advise me in the matter, and his testimony concurred with that of Mr. Mix, that Mr. Bates' goods were the best. He was the first man to inform me that the only indigo blue blanket in the room was Mr. Bates'. I, myself, did not pretend, and do not pretend now, to know a logwood blanket from an indigo blanket. He told me he was satisfied that the only blanket dyed with indigo was the blanket of Bates'. That being so, and my advertisement being for indigo blue blankets, I was compelled to take that blanket and no other. I did not advertise for logwood blue blankets. I advertised for indigo blue blankets. My predecessors have done so; and for time immemorial that has been the custom. Therefore, if it be true—and I think the Committee will be satisfied that it is true—that the only indigo blue blanket in the room was that of Mr. Bates, it is the end of the whole controversy so far as blankets are concerned. I do not think the Committee can entertain a moment's doubt on the subject, when it looks at the testimony and compares the statements that it is an indigo blanket with the statements that it is not. I will now read the testimony of Mr. Dobson.

WASHINGTON, D. C., January 5, 1867.

JOHN DOBSON, sworn and examined.

By COMMISSIONER BOGY:

Question. Where do you reside, and what is your business?

Answer. I reside in Philadelphia, and I am a manufacturer and dealer in wool. I have, in fact, a great many sorts of business. I am, I believe, the largest exporter of rags in the United States.

Ques. Are you a manufacturer of woolen goods?

Ans. Yes. I have three factories—one for blankets, one for cloths, and one for other goods.

Ques. You were brought up to this business in England, and understand it pretty well?

Ans. Yes, sir.

Ques. Did you examine the samples in the office of the Commissioner of Indian Affairs this morning?

Ans. I did.

Ques. Did you recognize any of them as your own manufacture?

Ans. Yes. Four of the samples were of my own manufacture.

Ques. Can you name the four?

Ans. Yes. Bates', Evans', McKnight's, and Anderson's.

Ques. Are all the samples of your manufacture of the same quality?

Ans. No. They are not.

Ques. Are any of the others furnished of an equally good quality with Mr. Bates'?

Ans. No. I never made any for the trade as good as them.

Ques. Then, taking Bates' as a standard of the blankets made by yourself, they are the best?

Ans. Yes.

Ques. Do you include in that the blue, white, and red blankets?

Ans. I do.

Ques. State the difference in the quality between Bates' and Evans' blankets?

Ans. Mr. Bates' is all domestic wool: one-half pulled out wool, and the other half fleece wool. Mr. Evans' is seventy-five per cent. domestic wool, and twenty-five per cent. Russian noyles.

Ques. Russian noyles is an inferior quality of wool?

Ans. Yes.

Ques. Seventy-five per cent. of Evans' is domestic wool, and twenty-five per cent. Russian noyles, which is an inferior quality?

Ans. Yes.

Ques. Does this run through all the blankets of Mr. Evans?

Ans. Yes.

Ques. What is the difference in value between Bates' and Evans' in dollars and cents?

Ans. The blue blanket of Bates'—an indigo blue—costs twenty cents a pound more to dye than Mr. Evans'. A logwood blue only costs three to four cents a pound to dye.

Ques. An indigo blue blanket costs twenty cents more per pound to

dye than a logwood one; that would make a difference of one dollar and sixty cents in an eight-pound blanket?

Ans. Yes.

Ques. Mr. Bates' blanket is an indigo blue?

Ans. Yes.

Ques. What is Mr. Evans'?

Ans. It is a logwood blue.

Ques. Then there is a difference of twenty cents a pound in the dyeing between the two?

Ans. Yes.

Ques. That you know as being a manufacturer?

Ans. Yes.

Ques. State the difference between Bates' white blanket and Evans'.

Ans. The difference in price would be about fifteen cents per pound, which is equal to \$1.20 on an eight-pound blanket.

Ques. Now, as to the scarlet blanket; state the difference in value in dollar and cents.

Ans. The difference in dyeing would be about three cents; and fifteen cents difference in the quality, would make eighteen cents per pound difference.

Ques. You think there is a difference of eighteen cents per pound between them?

Ans. I don't think it; I know it.

Ques. What is the difference in the quality of the wool used in those blankets?

Ans. The difference in the white is fifteen cents a pound, and it is the same on the others.

Ques. Then, this fifteen cents difference is to be added to the difference in the dyeing?

Ans. Yes.

Ques. Then there is really thirty-five cents difference per pound in the quality of the indigo-blue blanket?

Ans. Yes.

Ques. Compare McKnight's blankets with Evans'. Are they the same?

Ans. No.

Ques. How do they compare?

Ans. McKnight's are made from foreign, East Indian, and Russian wool.

Ques. Does that apply to his white and colored blankets?

Ans. The white is a little more East Indian than the scarlet.

Ques. Is the East Indian wool as good as the American wool?

Ans. No.

Ques. Is it much inferior and much cheaper?

Ans. Yes.

Ques. Does it make an article at all as lasting as American wool does?

Ans. No, sir.

Ques. What difference do you make between Bates' and McKnight's blue blankets?

Ans. It would be, at the lowest calculation, forty to fifty cents per pound.

Ques. How is it on the white?

Ans. About thirty cents.

Ques. How is it between the scarlet blankets of the two?

Ans. The scarlet blanket of McKnight is a very poor blanket?

Ques. What is the difference between the two?

Ans. For the trade, you would not think there is as much difference as there is.

But, taking them for the value, there is at least a difference of forty cents a pound.

Ques. State how Mr. Stettauer's, or Buckley, Sheldon & Co's, samples compare with Mr. Evans' samples. Are Stettauer's samples as good as Evans'?

Ans. No, sir; there is a difference of twenty-five cents a pound.

Ques. Evans' are that much better than Stettauer's, or Buckley, Sheldon & Co's?

Ans. Yes, sir.

Ques. Are Buckley, Sheldon & Co's foreign or domestic?

Ans. They are foreign.

Ques. Are they inferior?

Ans. Yes; that is, the scarlet blanket; his white was a little better.

Ques. Is that white one an inferior one, or a superior one?

Ans. It is a medium blanket.

Ques. How is his blue blanket?

Ans. I don't recollect seeing a blue blanket there.

Ques. You examined Rink & Anderson's samples? Most of them were made by you?

Ans. I examined them. Some of them are made by me, and some of them are foreign?

Ques. Are yours better than the foreign?

Ans. They are.

Ques. Are the Rink & Anderson American blankets as good as Evans', McKnight's, or Bates'?

Ans. No. Evans' is next best to Bates'. I made three qualities of blankets; for I had to make them to suit the trade, &c., to fight the imported ones. Of course I had to make them up of such wool as I could put in to sell. Rink & Anderson's were made, I think, about last September, and since then I have used a better quality of wool, and tried to improve. Wool has kept falling since, and I took advantage of that to make them better.

Ques. The American blanket of Rink & Anderson's is not as good as Evans'?

Ans. No.

Ques. Is it as good as McKnight's?

Ans. I think it is.

Ques. What is it made of?

Ans. Partly of domestic, and partly of foreign wool.

Ques. How does his foreign blanket compare with Bates' blanket.

Ans. There are no foreign ones there as good as any of the domestic

ones. I have no interest in the matter but to state the truth. I am not in any way interested with the contractors. I have no engagement with them, or any contract with them, but am open to sell to any one.

Ques. Is there any advantage in using fine wool in making blankets?

Ans. Yes.

Ques. Well, what is the advantage?

Ans. Fine wool has a great many fibres, and they all unite together to form a good body.

Ques. Is that the case in Mr. Bates' blankets? Has it more fibres than the other, as it is finer?

Ans. Yes, sir.

Ques. Are Bates' blankets injured by being so much drawn out—by being teased, as I think it is called?

Ans. No, sir; I don't think they are. No foreign blanket will stand the teasing that Bates' will.

Ques. What is teasing?

Ans. It is a kind of large burr put on in finishing the cloth—it is a way of raising the surface of the wool.

To Mr. HENDERSON: It draws out more of the fibres from the thread.

By COMMISSIONER BOGY:

Ques. Are the Bates' blankets an indigo blue.

Ans. Yes.

Ques. Have you ever made Indian cloths?

Ans. Yes.

Ques. Did you examine the cloths of Bates, Evans & Stettauer's?

Ans. I did.

Ques. You examined the blue, scarlet, and gray cloths. Which of these do you think is the best?

Ans. The scarlet cloth of Bates' is finer and a little lighter, but a better quality cloth.

Ques. How does Bates' scarlet compare with Evans'?

Ans. Well, I could hardly judge, as Evans had such a small sample there.

Ques. All the samples of cloth there are foreign cloth?

Ans. Yes.

Ques. You examined all these samples yourself?

Ans. Yes.

Ques. Which of the samples—Evans', Bates', or Stettauer's—are the best, taking them as a whole; and what is the difference in value per yard between them?

Ans. Mr. Bates' is the best, and then Evans' is next, but it is hard to say, as it is such a small sample.

Ques. Mr. Bates' is of finer wool?

Ans. Yes.

Ques. What is the difference between his sample and Stettauer's in dollars and cents?

Ans. From twenty-five to thirty-five cents; a little more in the blue.

Ques. Can you make these American cloths?

Ans. Yes.

Ques. Suppose they furnished me an American cloth—a scarlet—at sixteen ounces to the yard, how much more would it be worth?

Ans. From forty to fifty cents per yard.

Ques. A cloth made from common American fleece wool would be worth from forty to fifty cents a yard more than those samples exhibited by Bates?

Ans. Yes.

Ques. How would the cloth you would make for this contract compare with those of Bates?

Ans. It would be better than any of those parties. I have no contract with Bates.

Ques. I was speaking of American as being better than foreign; they would be better than foreign of the same price?

Ans. Of course. We are young in the business. The foreign cloths have fifty per cent. of shoddy in them; all of them have. I have examined them very closely.

Ques. All these foreign cloths have shoddy in them. Is there any in the scarlet?

Ans. It could not be well put into the scarlet on account of the dye.

Ques. If the cloth was made of fine wool, and weighed sixteen ounces per yard, would it be better than the Bates samples?

Ans. Yes; from forty to fifty cents.

Ques. Are the samples on exhibition foreign or domestic?

Ans. They are all foreign.

Ques. You are not a judge of dry goods?

Ans. No; it is not my business.

Ques. You consider these blankets of Mr. Bates at ten dollars a reasonable price?

Ans. I have nothing to say about what I think is reasonable. If you ask about the quality I will tell you. What Mr. Bates offers them to you for, or anybody else, is none of my business.

Ques. The price of Evans' is nine dollars; McKnight's, nine dollars and thirty-six cents, and Bates' ten dollars. Which of these is the cheapest at these prices?

Ans. Mr. Bates'.

Ques. Mr. Bates', at ten dollars, are cheaper than the others at the prices they put them in for?

Ans. Yes.

WASHINGTON, D. C., January 7, 1867.

JOHN DOBSON, recalled and examined.

By Mr. DAVIS:

Question. Which sample of blanket ranks next to Bates', in your estimation?

Answer. Evans'.

Ques. State the difference between Bates' and Evans' blanket in dollars and cents.

Ans. The difference is about fifteen cents a pound in the white, but the difference in the indigo is about thirty-seven and a half cents between the blue and the white.

Ques. Which ranks next to Mr. Evans' in the descending grade?

Ans. McKnight's.

Ques. State the difference between Evans' and McKnight's in dollars and cents.

Ans. It is some two and a half to five cents a pound.

Ques. The same with the blue, scarlet, and white?

Ans. Yes, sir.

Ques. Which ranks next to McKnight's?

Ans. Anderson's is equal to McKnight's.

Ques. Give us the difference between Anderson's and McKnight's in dollars and cents.

Ans. There is no difference at all; they are the same samples.

Ques. Now, What is the difference between Anderson's and Stettauer's, or those that were pointed out to you as Stettauer's?

Ans. Twenty-five to thirty cents, at the least calculation.

Ques. Does that hold good of each kind of blanket?

Ans. It is an average, putting them altogether.

Ques. Did you see any blue blanket in Stettauer's?

Ans. Yes, sir. I saw one this morning.

Ques. You did not see it the other day?

Ans. No, sir; but the Commissioner requested me to go up this morning and examine it, which I did.

Ques. Who were present when you first examined these blankets in the Indian office?

Ans. I did not know the men apart. They were all strangers to me. I did not know the Commissioner or the clerk. The only person I was acquainted with was my salesman, Mr. Wilson.

Ques. State, as far as you can, the gentlemen who were present when you made that examination.

Ans. I could not state.

Ques. Was Commissioner Bogy there?

Ans. No, sir; I believe not.

Ques. Was Mr. Johnson?

Ans. I do not know. Col. Webb was present; I showed him the blankets, and showed him the difference in the quality. Col. Webb said he was satisfied that blanket was not as good as Bates' and that he was mistaken in the evidence he gave.

Ques. Did he state to you what day he gave the evidence?

Ans. No, sir; but he said he made a mistake in the evidence.

Ques. Did he say he was coming here to correct it?

Ans. No, sir; he did not.

Ques. Was Mr. Jones present when you made that examination?

Ans. I do not know. I could not say.

Ques. Do you know what officer in the Indian Office admitted you into the room?

Ans. A little fellow. I do not recollect his name.

Ques. I was not present?

Ans. No, sir; I believe not.

Ques. Was Mr. Fuller, Mr. Stettauer, or Mr. Evans present?

Ans. I could not say.

Ques. Who first talked to you about examining the samples?

Ans. I was telegraphed from Philadelphia.

Ques. By whom?

Ans. By Mr. Bates, I believe.

Ques. When was that?

Ans. On Friday evening.

Ques. Did you get any other request to come except from Mr. Bates?

Ans. No, sir.

Ques. Did you furnish the samples to either Bates, Evans, or McKnight, directly yourself?

Ans. I furnished the samples to Bates. He came to me and made a special arrangement with me. All the other samples were made and given from our regular goods, which we made for the market.

Ques. How long ago was it that Bates came and made that arrangement with you?

Ans. I think it was some two or three months ago.

Ques. You were to make them specially for the contract?

Ans. Yes, sir. Specially for time at least.

Ques. How many blankets for Mr. Bates' samples did you have manufactured?

Ans. I believe about six. He got three, and the other three, I believe, I have in my office.

Ques. These are all?

Ans. Yes, sir.

Ques. You have manufactured them within the last three months?

Ans. I believe so.

Ques. Are these the best blankets you have manufactured?

Ans. They are the best Indian blankets.

Ques. Are there any other Indian goods manufactured in this country?

Ans. I believe there are some in New England.

Ques. I wish simply to know whether they are better than any other Indian blankets manufactured in this country?

Ans. I believe they are.

Ques. Is there any other manufacturer who can manufacture a blanket as good as you can?

Ans. I could not say what another man could do.

Ques. At the time you manufactured Bates' blanket, what was pulled wool worth per pound?

Ans. About fifty-two cents.

Ques. At what time was it that you could buy pulled wool at fifty-two cents per pound?

Ans. About the 1st of August.

Ques. What was fleeced wool worth when you purchased that; such as they use in blankets?

Ans. About the same.

Ques. What fleeced wool was this—Ohio wool?

Ans. I bought from several States. I cannot recollect the particular wool that went into these blankets.

Ques. You stated very particularly in your direct examination the value of this wool, &c.; now I ask you if you know what quality of wool went into these blankets?

Ans. Domestic fleeced wool.

Ques. Is that all you can tell?

Ans. Yes, sir.

Ques. How much waste is there in the manufacture of wool into blankets? What is the per centage?

The witness objected to answering the question, on the ground that it would be exposing the secrets of his business.

The Committee overruled the objection.

Witness: We always calculate thirty-three and a third per cent.

By Mr. Ross:

Question. Washed or unwashed wool?

Answer. Unwashed wool.

By Mr. Davis:

Question. When you said you could buy this wool for fifty-two cents per pound, was that washed wool?

Answer. Yes, sir.

Ques. How much indigo does it take to color one pound of wool used in the Bates blanket?

Witness objected to answering the question, on the ground that it would be exposing his business.

The Committee overruled the objection, and the question was repeated.

Witness: My bones would crumble within the walls of a prison before I would give the evidence, except somebody's character was at stake.

The question was again repeated.

Ans. We dye some four or five hundred pounds at a time, and make calculation and figure it up to see what dyes are required for that quantity.

Ques. Cannot you easily tell what one pound cost?

Ans. It takes twenty-four cents a pound to dye that color.

Ques. What kind of indigo do you use to make that color?

Ans. Bengal indigo.

Ques. What is that worth a pound?

Ans. To-day it is worth one dollar and ninety cents in currency. Sometimes you can buy it cheaper; according as gold rates.

Ques. What is the entire expense of manufacturing a pair of the blankets?

Ans. We always work by the pound.

Ques. Then state the expense by the pound.

Ans. Outside the dyeing, my calculation is twenty-five cents per pound for the manufacture. That includes labor and manufacture.

Ques. Well, what does the labor of dyeing cost per pair?

Ans. Twenty four cents includes the labor and indigo.

Ques. What Government tax have you to pay?

Ans. Five per cent.

Ques. In what relation does Mr. Wilson stand to you?

Ans. He is my chief agent. He has a commission of three and a half per cent. on every pair of blankets I make.

Ques. Do you bale those blankets before you put them in the market; and if so, what is the cost?

Ans. Yes; twenty-five cents include the cost of bailing.

Ques. Is there any other cost in the preparation of the blanket?

Ans. No.

Ques. Take such blankets as Bates'; what would you regard as fair profit for yourself?

Ans. If I can make five per cent. I am satisfied. We generally calculate ten per cent., but sometimes we don't make five.

Ques. You said that you knew these blankets were to be used as samples. Did you know that Evans' and McKnights also were to be used as samples?

Ans. Yes.

Ques. Were any of Stettauer's made by you?

Ans. I don't believe there was a blanket.

Ques. Can you swear positively there was not?

Ans. I will swear I was not aware of one.

Ques. Did you examine over his samples as carefully as others?

Ans. Yes.

Ques. And there was no blanket manufactured by you among his blankets?

Ans. There is none that I manufactured for the last nine months. There might be one of some I made before that time, but I have not seen it. I made some very raw blankets for the Government contracts last year, and there might be one of them among the lot, but I have not seen it.

Ques. There might be one of your manufacture among Stettauer's?

Ans. There might be, but I cannot say positively.

Ques. Were you told Mr. Bogy was to make a selection from the best samples presented there?

Ans. I was not.

Ques. Can you make at your manufactory a fancy list cloth?

Ans. Yes.

Ques. Have you ever made any?

Ans. I have made all kinds. I have made this suit I have on.

Ques. Can you make a saved list cloth?

Ans. Yes. I am making it now for the market.

Ques. How much have you made?

Ans. I have made one thousand yards of saved list.

Ques. Did you make any of the samples of Mr. Bates in that cloth?

Ans. No.

By the CHAIRMAN:

Ques. What is the "saved list cloth?"

Ans. Saved list is a cloth that is dyed after being manufactured. It is rolled up close, and a cover put over it so that the dye cannot enter. The process is no benefit to it.

Ques. Do you make gray list; if so, how much have you made?

Ans. Yes.

Ques. How long have you been manufacturing it?

Ans. I made gray-list cloth in 1865, and since then I could not state how much I have made. I made enough to convince me that I can make any kind of cloth made anywhere else.

Ques. What is the technical name of the blanket of Mr. Bates—the trade name?

Ans. Mackinac blankets.

Ques. How long have you been manufacturing Mackinac blankets?

Ans. Going on two years. I have made blankets for the last seventeen years.

Ques. Did you sell large quantities of this kind of blankets?

Ans. I sold about 300 bales last year.

Ques. Did you furnish any of them for the Indian trade?

Ans. I furnish blankets to A. T. Stewart and to Claflin, of New York, and to many persons in Philadelphia.

Ques. But do you know if any of them were for the Indian trade?

Ans. I cannot speak as to that.

Ques. Do you know that any blankets as good as these were ever furnished to the Indians?

Ans. No, sir. I know one thing: I bid a year ago for that contract, and my blanket was rejected, and they got inferior goods to what I offered.

Ques. Where did you say the goods were furnished?

Ans. In New York, by Buckley, Sheldon & Co.

Ques. Then you have seen some goods that were Indian goods?

Ans. I saw Buckley, Sheldon & Co's.

Ques. Do you know these went to the Indians?

Ans. He said he bought them for that purpose.

Ques. What member of the firm told you they were Indian goods?

Ans. Mr. Wheeler told me so.

Ques. Did you tell him they were an inferior article?

Ans. I did.

Ques. Did you know where they got those blankets? Whether they bought them in open market, or got them under contract?

Ans. I don't know anything about that.

Ques. Was any person present when you told him they were an inferior blanket?

Ans. I believe Mr. Wilson was; am not sure.

Ques. Was any other person present?

Ans. No.

Ques. You say that Bates' blue was an indigo blue. Was any color in that but indigo?

Ans. No, sir; none other.

Ques. Have you made blankets that had indigo and logwood?

Ans. Yes. The heading was made with logwood.

Ques. Explain that?

Ans. You cannot dye a dark blue with indigo; and therefore, when you want that color, you must fill up with logwood; and also to dye the heading, which is black, you must use logwood.

Ques. Then, there is some logwood in Bates' blanket?

Ans. Yes; in the heading.

Ques. How much logwood is there in it?

Ans. Not more than one per cent. It would not cost more than three cents per pound. It is just to get the black shade. We get as dark as we can with the indigo, then fill up with logwood.

Ques. Have you ever before made as good indigo blankets as these?

Ans. No.

Ques. There is more indigo in these than?

Ans. Yes; the Government never received indigo blankets before—they had been swindled.

Ques. Did you put more indigo in these than you ever before put in a Mackinac blanket?

Ans. Yes.

Ques. How much more indigo is there in this blanket than in any you made before?

Ans. About seventeen cents a pound.

Ques. Do you know whether, in making Mackinac blankets, any person has ever before put in so much indigo as you have into Mr. Bates'?

Ans. All blankets ought to have it in. It has either been put in, or the Government has been swindled.

Ques. Do you know of a Mackinac blue blanket ever having been manufactured with so much indigo in it for coloring matter as these?

Ans. I never made it myself, nor do I know any one that did.

Ques. Do I understand that you say you never knew of your own knowledge of a Mackinac blanket having as much indigo in it as these?

Ans. I never worked in a factory belonging to any one else; so I cannot give you any information outside my own, and I never made any myself.

Ques. Are you acquainted with the Indian trade sufficiently to know what kind of goods are desirable and useful to the Indians?

Ans. I am not myself acquainted with the trade at all, but my agents are?

Ques. You know what kind of blankets are most serviceable for the Indians?

Ans. Only in my own judgment. I have been a soldier, and know what wears the longest.

Ques. Are you acquainted with Mr. Bates?

Ans. I have seen him twice before I met him in Washington.

Ques. When did you first see him?

Ans. Two or three days before the contract was awarded.

Ques. He came to your manufactory then?

Ans. No; he came to the office, and I was sent for.

Ques. Is it not difficult to tell the difference between an indigo and a logwood blue?

Ans. No, sir.

Ques. Did you not state yesterday to Mr. Davis, of New York, that it was impossible to tell the difference between an indigo blue and a logwood blue without a chemical test?

Ans. I will state the conversation that took place between Mr. Davis and myself. After the Committee adjourned yesterday, I met Mr. Davis, but did not recognize him at first. The following conversation then took place about our goods: I said, "Mr. Davis, how is it your folks have been making all these mistakes about these blankets?" He said "he was not aware I made more than one style of Mackinac blanket." He said, "I am perfectly satisfied that Bates' is best, but I was not aware but that all blankets were indigo." Said I, "I put in a bid for indigo blue last year, and they threw it out." Said he, "you can hardly tell the difference." Said I, "it takes a good judge to know the difference between logwood and indigo, but you can easily test them in a few moments by a chemical test."

Ques. Did you not state you could not tell the difference between them without a chemical test?

Ans. I did not. If we use indigo, it will always show itself to any judge who knows what indigo is.

Ques. Who permitted you to cut off these samples which you produce here? Who suggested it to you to do so?

Ans. Mr. Jonas allowed me to cut them off, of whom I had permission to do so.

Ques. Did you bring a piece of the tent-cloth with you?

Ans. No; I know nothing of dry goods.

Ques. You stated in your evidence yesterday that foreign blankets would not stand the process of teaseling. Why would they not do so?

Ans. All blankets will stand teaseling, but some will not stand it as much as others.

Ques. Then it is a fact that teaseling weakens the blanket?

Ans. Of course.

Ques. Then the more a blanket is teaseled, the weaker it gets?

Ans. Yes.

By COMMISSIONER BOGY.

Question. Tell the Committee at what price a blanket like the one of Bates' can be made, so that you can get a little profit out of it. You said it would take 24 cents a pound for the dye?

Mr. Davis objected on the ground that the question was leading.

The objection was sustained.

Ques. What do you calculate on getting for these blankets?

Ans. I calculate on getting for the white blankets, \$1.25 per pound; for scarlet, \$1.37½; and for the Indigo blue, \$1.40 per pound.

Ques. Then an 8 pound blanket, at \$1.25 per pound, would cost \$10.

Mr. Davis objected, and objection sustained.

Ques. What is the price of wool now?

Ans. Forty-eight cents per pound.

Ques. With wool at that price, can you make this white blanket and make a profit?

Ans. Yes.

Ques. You can make all these blankets and sell them at a living profit, at the prices they have been mentioned at?

Ans. Yes.

Ques. Have you any interest in this contract at all?

Ans. No.

Ques. Which of these samples of blankets are the best?

Ans. Mr. Bates' samples are the best by at least 30 cents per pound, on the blue and scarlet, and 15 cents on the white.

Ques. Bates' is of American wool all through, and the rest are of mixed wool?

Ans. Yes.

By Mr. DAVIS:

Ques. What does your white blanket weigh?

Ans. My white three-point blanket weighs eight pounds, and the blue and red three-point weighs the same.

Ques. What can you make the blue and red for, and have a profit?

Ans. The blue at \$1.40 a pound, and the red from \$1.30 to 135. It depends on what I can buy the wool for.

Ques. Did Mr. Bates ask you what you were to charge him for making those blankets?

Ans. He asked me what the blankets would cost. I said I could not tell him, but that I would make them as cheap as I could. So we left the price open. I made the goods and put on a very small profit.

Ques. Have you any interest whatever in Mr. Bates' having the contract; do you care about it?

Ans. I do not care about it.

Ques. What do you care about it?

Ans. If Bates gets the contract, I expect to make his goods. If Evans gets it, I expect to make his goods. They all promised to get their goods from me.

Ques. Did Bates promise you?

Ans. He has not promised.

Ques. What did you mean when you say they all promised you?

Ans. They all said they were going to get their goods from me.

Ques. Did Bates say so?

Ans. He said he was going to get the goods from me.

Ques. Did Mr. Stettauer tell you he was going to get his goods from you?

Ans. No.

Ques. Then you are just interested to that extent, and for that reason you would like for Mr. Bates to get that contract?

Ans. I would make more if Mr. Evans would get it.

Ques. Then would you not prefer Bates would get it to Stettauer?

Ans. I have no preference.

Ques. As between Bates and Stettauer?

Ans. A man always looks to his own interest.

Ques. Then you would sooner Bates would get it than Stettauer?

Ans. Certainly I would.

The witness then stated his estimate of prices had been given at a rough calculation, and might not be within a cent or two of what he might estimate if he had figured them.

The Chairman said, if hereafter he desired to make any corrections he could do so.

Here I close, gentlemen, the testimony under which I acted. I think that, under the circumstances, I might very well rest my case here. It certainly cannot be expected that the man who holds the position of Indian Commissioner should be so perfect an adept in all things as to commit no error. I think I am entitled to the credit of having been extremely particular and extremely successful. This testimony, however, is opposed by that of a large number of persons who came here from New York, and called themselves experts. Many of these men, it is very manifest, are not very good experts. Not one of them can tell the difference between an indigo blue blanket and a logwood blue blanket. Not one of them can tell whether a blanket contains foreign wool or domestic wool. Not one of them can tell the difference in the price of the dye between logwood and indigo. And yet they come here—these merchants bespangled with diamonds, and dressed up in splendid style—professing to be great experts. I have nothing to say against their integrity, but they come here with great pretensions and under most peculiar influences. That is one of the things I have to contend against. All these men are engaged in the same business. They are blanket men; and it is a fact notorious to every gentleman in America, that all the blankets used for the Indian Bureau heretofore have been foreign articles. These men are all interested in maintaining that foreign trade and breaking down the American trade; and therefore they come here to try to break down these awards. One of them stated that he had sold \$10,000 worth of foreign blankets last year to Buckley, Sheldon & Co. They have been all dealing in them. It mattered not to them whether John, Peter, or Paul got the contract, they expected to supply the article, if foreign. But, in point of fact, none of them was as competent a judge as Dobson. Dobson is a manufacturer, and he swears that he had no interest whatever in the matter, and that it made no difference to him who got the contract. His only interest was, as an American manufacturer, to sell American goods; and I am sure that that is not a sufficient interest to exclude him from being a witness. He showed great competency, and explained all the operations of the business. It will be attempted to show that the manufacturing of blankets, according to the prices stated by Mr. Dobson, is a fraud; but I have made a calculation which I will submit to the committee.

Mr. BOGGS here handed in the following table:

ESTIMATED COST OF ONE POUND OF BLANKETS.

100 lb. wool cost, at 52 cents.....	\$52 00
Waste 33 lbs., leaves 67 lbs.....	\$2 00
Which is 78 cents per pound.	

WHITE.

1 lb. clean wool cost, as above.....	78 cents.
Manufacturing 1 lb.....	25 cents.
Government tax.....	5 cents.

	\$1.08
Commission, &c., 3½ per cent.....	03 78-100
Total cost of 1 lb. white blankets.....	\$1.11 78-100

BLUE.

Expense of dyeing 1 lb indigo blue.....	24 cents.
Cost of 1 lb. white blankets, as above.....	\$1.08
Commission, 3½ per cent.....	4 62-100
Total cost of 1 lb. indigo blue blanket.....	\$1.36 62-100

SCARLET.

Expense of dyeing 1 lb. scarlet.....	15 cents.
Cost of 1 lb. white blankets, as above.....	1.08
Commission 3½ per cent.....	4 3-100

Total cost of 1 lb. scarlet blankets.....	\$1.27 3-100
Green blankets cost the same as scarlet.....	\$1.27 3-100
2,500 pair 3 pt. white, 8 lbs.....	20,000
2,500 pair 2½ pt. white, 6 lbs.....	15,000
500 pair 1½ pt. white, 4½ lbs.....	2,125
	37,125 lbs., at \$1 11.78-100
1,000 pair 3 pt. scarlet, 8 lbs.....	8,000
500 pair 2½ pt. scarlet, 6 lbs.....	3,000
	11,000 lbs., at \$1 27.3-100,
	\$14,003 00
200 pair 3 pt. green, 8 lbs.....	1,600 lbs., at \$1 27.3-100,
	\$2,032 08
2,000 pairs 3 pt. indigo, 8 lbs.....	16,000 lbs., at \$
2,500 pairs 2½ pt. indigo, 6 lbs.....	15,000 lbs.
100 pairs 1½ pt. indigo, 4½ lbs.....	450 lbs.
	31,450 lbs., at \$1 36.62-100,
	\$42,966 99
	\$100,500 79
37,125 lbs. white Mackinac blankets, \$1 25.....	45,406 25
11,000 lbs. scarlet do. do. 1 45.....	15,550 00
1,600 lbs. green do. do. 1 40.....	2,240 00
31,450 lbs. indigo blue do. 1 40.....	44,080 00
	\$108,625 00

Here is another calculation reduced to figures, so as to save time:

Mr. Dobson's testimony is, that—

- Bates' blue blanket is worth 35 cents more than Evans' (per pound.)
- Bates' white blanket is worth 15 cents more than Evans' (per pound.)
- Bates' scarlet blanket is worth 18 cents more than Evans' (per pound.)

Also, that—

Evans' blanket is worth 25 cents a pound more than Stettauer's.

It follows that—

Bates' and Stettauer's compared thus:

- Bates' blue blanket is worth 60 cents a pound more than Stettauer's.
- Bates' white blanket is worth 40 cents a pound more than Stettauer's.
- Bates' scarlet blanket is worth 43 cents a pound more than Stettauer's.

Now, then, Bates' price for blue is \$1.40; for white \$1.25; for scarlet \$1.45.

Then, Stettauer's blankets are worth, for blue, 80 cents; for white, 85 cents; and for scarlet, \$1.02.

Presuming Mr. Stettauer to have bid the above prices, and assuming his green and blue to be of same value, we have—

31,450 lbs. blue, at 80 cents.....	\$25,160 00
37,125 lbs. white, at 85 cents.....	31,556 25
11,600 lbs. scarlet, at \$1.25.....	11,520 00
1,600 lbs. green, at 80 cents.....	1,280 00

Mr. Dobson's valuation of the value of Stettauer's blankets is.....	\$69,216 25
Mr. Stettauer's bid.....	98,045 00

In other words, Mr. Dobson values Mr. Stettauer's blankets at a little over three-fourths of what Mr. Stettauer proposes to sell them for to the Indians.

Without asking the Committee to wade again into the sea of figures which the opposing counsel has presented in such formidable proportions, I submit the following tabular statement, premising that, as the Bates blankets are the very best of any offered, his proposal is made the point of comparison of prices.

TABULAR STATEMENT OF PROPOSALS FOR ARTICLES OF THE FIRST CLASS. (MACKINAC BLANKETS.)

Names of Bidders.	Bids.
C. Francis Bates.....	\$108,625.
Zebulon Moore.....	171,353 or 58 per centum more than Bates' bid.
De Greck & Co.....	121,183 or 12 " " "
Perry & Co.....	121,762 or 12 " " "
J. H. B. Fairman.....	104,975 or 3 " less " "
Druker & Anderson.....	99,117 or 9 " " "
Buckley, Sheldon & Co.....	97,175 or 11 " " "
M. Sells.....	96,800 or 11 " " "
W. S. McKnight.....	96,223 or 11 " " "
Perry Fuller.....	94,575 or 13 " " "
G. D. Evans.....	94,275 or 13 " " "
Stettauer & Bro.....	90,045 or 17 " " "
C. Owen.....	57,760 or 52 " " "

If mere price is to be taken as the governing guide in making these awards, it is certainly not Mr. Stettauer who can claim the award, but Mr. Owen, whose bid is 42 per cent. less than Stettauer's; and I will venture to assert further, that I can by rejected Army Hospital trash at still another 42 per cent. reduction on Mr. Owen's bid. But if, in dispensing the money belonging to the Indians, neither their wants, their taste, nor their fashions are to be consulted with a view to at once benefiting and pleasing them, the Indian Supply Bureau had better at once be transferred to the old cloth-s shops of Chatham street. I may go further and say, that, according to the terms of the advertisement, I should have been fully justified in throwing out every bid except Mr. Bates', for the advertisement calls for indigo-blue blankets, and not one other bidder has offered me indigo blue blankets. The dyer who testified on this point against the Bates blanket, perjured himself before your eyes, and Mr. Bates' sample is yet before you a proof of his perjury.

Passing now to articles of the second class, premising that many of the samples of cloths are utterly full of shoddy, and nearly worthless, I will submit a tabular statement, making again the Bates bid the point of comparison.

Tabular statement of proposals for articles of the second Class.—(Indian Cloths.)

Names of Bidders.	Bids.
C. Francis Bates.....	\$37,500.
Z. Moore.....	49,490, or 32 per centum more than Bates.
C. Owen.....	86,675, or 2 " less " "
Druker & Anderson.....	35,995, or 4 " " "
Sams, (bid No. 2).....	32,675, or 13 " " "
Perry Fuller.....	32,430, or 14 " " "
Buckley, Sheldon & Co.....	32,150, or 14 " " "
Stettauer & Bro.....	28,272, or 23 " " "
G. D. Evans.....	28,050, or 25 " " "

The proposal of Mr. Bates, here to be observed, is for 16 oz. per yard, American cloth, of American fleece wool, without admixture and the blue of indigo dye. I may have erred in this as in the other awards, but it seems to me, and I submit it to the judgment of the Committee, that I might as well send no cloths as some of the miserable apologies for the article which have been offered me.

For dry goods, Messrs. Farwell & Co., like some other bidders in other classes, offered two proposals, each proposal being accompanied by distinct samples. The bid for their second grade of goods (\$69,005) was the lowest of any bid received. Their first grade of goods has been shown by the testimony of even the experts on the other side, to be, in almost all instances, what are called in the trade *standard goods*, by which term I understand first quality goods, from mills which stand in the highest repute for their specialties. The articles which they offer in their lowest bid may be sufficiently good quality, nevertheless, I will take their highest bid as a standard of comparison in the following table:

Tabular statement of proposals for articles of the third class.—(Dry Goods.)

Names of Bidders.	Bids.
J. N. Farwell & Co.....	\$78,705.
Sams, (bid No. 2).....	69,006.
De Greck & Co.....	121,410, or 52 per centum more than Farwell & Co.
Z. Moore.....	112,410, or 41 " " "
Perry & Co.....	103,700, or 20 " " "
J. H. B. Fairman.....	102,575, or 28 " " "
Buckley, Sheldon & Co.....	80,175, not 1 " " "
Rink & Anderson.....	59,825, not 1 " " "
W. S. McKnight.....	79,735, not 1 " " "
G. D. Evans.....	78,400, or 2 " less " "
Fitzpatrick.....	77,725, or 2 " " "
Perry Fuller.....	77,675, or 3 " " "
Rink & Anderson, bid No. 2....	76,950, not 4 " " "
C. Owen.....	76,810, not 4 " " "
M. Sells.....	71,280, not 11 " " "
Stettauer & Bro.....	69,395, not 13 " " "

Yet a great deal of time has been taken to prove to this Committee that Mr. Stettauer should have had the award, not certainly because his bid is lowest, for one of Mr. Farwell's is lower.

With a cunning, for which I hope due credit may be awarded him, Mr. Stettauer offered at one price, numerous samples of the same kind of goods, widely varying in quality; and, with an effrontery only equalled by his cunning, he claims to have only his *best* samples considered and compared with those of others.

The CHAIRMAN. I do not understand about Mr. Stettauer's putting in a variety of samples. Did he not make a bid for a certain specific cloth?

Mr. BOGY. No, sir. For instance, he puts in a bid for cloths, and sends in a great variety of samples.

The CHAIRMAN. Take for instance red cloths. Did Mr. Stettauer send in more than one sample?

Mr. BOGY. He had two samples of red cloths.

The CHAIRMAN. Had he two or three samples of other cloths?

Mr. BOGY. I think so. That was the information I received. I did not go into very great particulars, but I was informed that he had a great variety of samples. I saw a great variety of samples there. I remember that I raised the objection at that time that it was impossible to receive a bid of that kind, because it would open a door to fraud.

The CHAIRMAN. If there were a number of samples sent in, and a bid made without specifying any of the samples, I do not see how the bid means anything.

Mr. BOGY. I did not think it did mean anything.

Mr. HENDERSON. I think it means that the bidder offers to furnish any one of those samples at the same price, and that the Commissioner may take his choice.

Mr. BOGY. Mr. Henderson may be right in that. I might have taken any of those samples; but that would present a complexity of questions which should not have been presented. In my own estimation, the bid of Stettauer was not the best.

As to the dry goods, I will not detain the Committee a moment on that subject. My mind was made up from the beginning to take Mr. Farwell's lowest bid; yet, as I was very anxious to give the Indians the best goods, I retained the right for one week to look into the matter, and decide whether I would take Farwell's No. 1 bid or his No. 2 bid—the one being for \$69,000, and the other for \$79,000. My mind, from the beginning, was in favor of the bid for \$69,000, which is the very lowest of all the bids for the third-class goods. It is in evidence, and I so stated, that both bids were before me. I informed Mr. Farwell some time ago that I preferred the second bid; and I always did so. Mr. Bates put in two bids and two different kinds of goods, and Mr. Farwell did the same. I stated in my communication that, not knowing whether that thing could be done, I asked Mr. Mix whether it was proper for a man to put in two bids, and Mr. Mix informed me that it was, provided that there were different articles of goods furnished.

Now, with reference to these tests: A scientific man was brought here—a dyer from Philadelphia, I believe—to make tests with all kinds of acids; and I think that, according to these tests, the prose-

cution should be willing to give up the question. I think that, to say the least of it, it was carrying the examination very far, because it was not to be expected that the Commissioner should make chemical tests of these goods before deciding. I looked upon it as an absurdity at the time, and a great indulgence on the part of the Committee; but the Committee thought proper to have the tests made, and I yielded.

[Mr. Bogy here pointed out to the Committee the result of the tests, indicating how Mr. Bates' sample of the blanket retained its dark color, while the other samples had become red, and continued.]

A muriatic acid, or a sulphuric acid, that will take out the color of the logwood-dyed blanket, will not affect the indigo-dyed blanket: that is also according to the testimony given by the prosecution. What is the result of the test? All the color being taken out of Mr. Evans' blanket, there is nothing left. It being all a logwood dye, and the muriatic acid, or the sulphuric acid, being applied to it, all the color is taken out. See, on the other hand, the same test applied to Mr. Bates' blanket. The acid takes out a little tinge of color, because Mr. Dobson admits that there is a little logwood used to give it a blue cast, not only in the heading but in the blanket itself. The acid takes that out and gives color to the water. But what does it leave? It leaves an abundance of indigo-blue, thus proving that this was the only indigo-blue blanket; and, according to the terms of my advertisement, it was utterly impossible for me to take any other. That is their own testimony, not mine. It cannot be contradicted. It is true, the water will receive a color from a piece of Mr. Bates' sample, because there is enough logwood in it to color the water. One drop of logwood will color a tumbler full of water; but the residuum is indigo. That is the predominating dye in the blanket, and there is not a particle of indigo in the other blankets. It is a fraud from beginning to end, and the same thing has been practiced on this Bureau for years. That is where the shoe pinches. It is because I am attempting to stop these frauds that all these men are arrayed against me to break me down. I do not suit them; and that is the truth about it.

Now, look at the peculiarity of this prosecution. Under all these circumstances I make my award. As soon as the award is made—which I think must be sustained by the Committee—I am held up before the country as an incompetent man, or as a faithless public servant. Mr. Davis presents the issue here that I am either so incompetent as to require my retirement from this post, on account of incapacity, or that I am such an infernal rogue that I should be driven off in disgrace. That is the issue presented to the Committee. There is no other issue, no other alternative. I am either a knave, and therefore have no business there; or I am a fool, and ought to have no business there either. Now, gentlemen, have I not acted with some moderate degree of intelligence and with great precaution and care in this thing? What does all the evidence on the other side amount to? I could bring a thousand witnesses here to prove any of you, gentlemen, to be a good man; and on the other hand ten thousand witnesses

might be brought here to prove the same person a bad man. You can get witnesses to prove anything you please. But gentlemen to whom the proof is made must weigh all the testimony and decide for themselves. I think the weight of testimony is in my favor. I claim that the chemical test shows that Mr. Bates' blanket is an indigo blue blanket. I could not help thinking the other day of a play upon words—that between the combination of muriatic acid and sulphuric acid the prosecution had obtained a sort of tartaric acid, which is also a very powerful acid. In other words, they "caught a Tartar," because it was their own experiment, and this is the result.

Now, who are those men who take such a deep interest in this thing? They are men who for some cause or other have been removed from their posts as Indian superintendents—though not by me, and who have become my prosecutors; men who were removed from office as clerks, and who have become prosecutors; and men whose bids have been refused—Evans, Stettauer, and Buckley, Sheldon & Co. They all join in this hue and cry. For what purpose? Let all the motives of these men be weighed. Is it the public good they are after—the public service—the good of the Indians, or the Government? Not a bit of it. I am a stumbling block in the way of these men, and I must be removed because I will not play into their hands. You know, gentlemen, that the very air was redolent with charges of fraud, corruption, venality, peculation, robbery and stealing in the Indian Bureau. If I remain there, I am determined to stop it if possible. Every messenger that comes here from the wilds of the West—every Indian agent, every Indian superintendent—brings evidence of frauds practiced upon the Indians. I have attempted to stop these frauds, and because I have done so the effort is made, and has been made, in the most shameless manner, to hold me up before the country as a thief and a robber. All that has been done by me in that Bureau they find fault with. Commissioners were sent to the Arapahoe and Cheyenne Indians, not by me, but by my predecessor, and yet they want to saddle me with the doing of that thing. It can be vindicated properly. Mr. Irwin, Mr. Bent, and Mr. Charles Bogey, bought goods for the Indians, and that is made a matter of complaint. Mr. Charles Bogey was sent there without any desire on his part, and against his own interest, and as a matter of accommodation to the Government. The Indians were threatening war; and he was requested to go, and did go, and helped to settle that difficulty. Again, the Wichita Indians are in a starving, suffering condition, in a most deplorable state of destitution, on the southern borders of Kansas. The superintendent of that department, being in this city, calls upon me to relieve those Indians. Congress made an appropriation last session for their benefit, but that appropriation had been all diverted when I came into the office, although the money was still in the Treasury. A contract had been made, by which a gentleman was to get \$8 for each Indian removed. I told that gentleman that, although a contract made by my predecessor was binding on me, I had no power to make the disbursement, as the money appropriated for their relief was for food and clothing.

Mr. DAVIS. What gentleman do you allude to?

Mr. BOGEY. No matter who. That contract was made; but I said that I could not comply with it. I could not consent to pay \$8 per head for removing these Indians out of the money appropriated as above by Congress. The Indians will remove themselves if you feed them. The whole thing was in violation of an act of Congress; and yet my action in that matter was found fault with. Mr. Mix has proven that the law requiring written requisitions from Indian Agents and Superintendents was not enforced. I can say it does not apply here, but I am willing to conform to it when practicable. The papers are filled with charges that I sent to Bogey & Fry, of St. Louis, a large sum of money—one New York paper stating it at \$50,000; all emanating from the common sewer of defamation; whereas the proof is that there never was one dollar sent to them; that these Wichita goods were bought in St. Louis and the money sent, not to the Commission Merchants, but to the men who sold the goods. Nobody else could receipt for the money, and nobody else has receipted for it. The money was sent to the men who supplied the goods, and yet fault is found with that transaction.

I can very well see, gentlemen, why this prosecution has been instituted, and why it is so very unkind and malignant. Human nature is the same in every age. If you stand in the way of a bad man, his only mode of attacking you, is to charge you with the very thing which he knows himself to be guilty of. Some men are so highly endowed that they see beauty in everything; they see something good, something virtuous in all that surrounds them. They see God in the passing cloud, in the luxuriant forest, and in the small streamlet that trickles down the hill side. God and beauty and perfection is seen everywhere. Other men see nothing but nastiness and unkindness, and defamation, and stealing and robbery, and dirt and filth. Such is man's nature. It was very well expressed by an old Greek philosopher—Aristophanes, I think—who said that a man with a rotten nose could smell nothing sweet. That is true. There are men who can smell nothing sweet, who can see nothing beautiful, and who can never appreciate those who can act from a high and noble motive. Other men feel as if they were surrounded with beauty and virtue, and intelligence, and are able to appreciate high and noble purposes.

I do not wish to detain the Committee longer. I think I have done my duty. When I assumed the office, I determined to discharge its duties in a fearless, independent manner, and I intend to do so as long as I remain there. One thing is certain: I shall return to my home with more pleasure than I left. I did not seek office. I took it that I might reform the Indian Bureau, and I intend to do so. Certain it is, if I remain there, it will be because the Government chooses to keep me there. I intend to curry favor with no man, except through the fearless, honest, and faithful discharge of my duties.

I have one consolation when I think of those poor miserable Indians. It is not long, as tradition tells them, when their fathers stood on the top of the Alleghany mountains, and all the country from there to the Atlantic ocean was theirs; and when they turned and cast their eyes

to the setting sun, all the country between them and the Father of Waters was theirs. Civilization and christianity, which is very badly practiced in dealings with the Indians, drove these poor people away until they crossed the Father of Waters and ascended the steps of the Rocky mountains. I can remember, myself, when the whole country from the Missouri river to the Pacific ocean was one vast Indian country. As they stood upon the Rocky mountains and cast their eyes to the east, they saw a country, from there to the Mississippi, which was theirs and their hunting grounds; and from that again to the Pacific ocean was their country and their hunting grounds. There are Indians yet living who have seen these things. But now, what is their condition? We have made with them what we call treaties, by which one section of country is abandoned by them, and then another section, and then another, and all for a few paltry annuity goods. I feel for them, having been born nearly among them, and having had much to do with them as a western-born man. For a few paltry goods they have bartered away an empire. And yet this great and powerful Government sends, year after year, to these poor, miserable, defenceless Indians, such goods as have been exhibited before the Committee. Who profits by it? A few wealthy men in the city of New York. Who are destroyed by it? The people of the West, my friends and neighbors, and some of them my relatives. These wealthy New York aristocrats, who would ride in their carriages over a Western man, as if he were a dog, make their money out of these Indian contracts, and we of the West are driven into Indian troubles and Indian wars, because justice is not done to these poor people.

No matter what may be the result of this investigation to myself, I shall have the satisfaction to know that I did my duty; and I have another consolation, as a man of some charity and some humanity—I am happy to feel that, after being villified and persecuted, it may be that some poor Indians, while lying by their lonely camp fires, away in the gorges of the Rocky mountains, where the snows are deep and the winds are sharp and biting, will wrap around them these warm blankets which I will send them, and some one of them may breathe a sigh that will ascend to the throne of God, calling benedictions upon the head of the Commissioner who, in a spirit of justice and charity, sent them this warm covering to protect their miserable bodies from the rude blasts of winter.

I have explained, gentlemen, the reasons for my action in making these awards, and if I remain in the position of Indian Commissioner, I intend to reform the Bureau, if it can be done, or I shall be driven out of it by these means, dirty speculators, who are now swarming around it. Gentlemen, I thank you.

MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES

TO THE

TWO HOUSES OF CONGRESS

AT

THE COMMENCEMENT OF THE THIRD SESSION OF THE FORTY-SECOND CONGRESS.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1872.

MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES

TO THE

TWO HOUSES OF CONGRESS

AT

THE COMMENCEMENT OF THE THIRD SESSION OF THE
FORTY-SECOND CONGRESS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1872.

MESSAGE.

To the Senate and House of Representatives :

In transmitting to you this, my fourth annual message, it is with thankfulness to the Giver of all good that, as a nation, we have been blessed for the past year with peace at home, peace abroad, and a general prosperity vouchsafed to but few peoples.

With the exception of the recent devastating fire which swept from the earth with a breath, as it were, millions of accumulated wealth in the city of Boston, there has been no overshadowing calamity within the year to record. It is gratifying to note how, like their fellow-citizens of the city of Chicago, under similar circumstances a year earlier, the citizens of Boston are rallying under their misfortunes, and the prospect that their energy and perseverance will overcome all obstacles, and show the same prosperity soon that they would had no disaster befallen them. Otherwise we have been free from pestilence, war, and calamities, which often overtake nations; and, as far as human judgment can penetrate the future, no cause seems to exist to threaten our present peace.

When Congress adjourned in June last a question had been raised by Great Britain, and was then pending, which for a time seriously imperiled the settlement by friendly arbitration of the grave differences between this Government and that of Her Britannic Majesty, which by the treaty of Washington had been referred to the tribunal of arbitration which had met at Geneva, in Switzerland.

The arbitrators, however, disposed of the question which had jeopardized the whole of the treaty, and threatened to involve the two nations in most unhappy relations toward each other, in a manner entirely satisfactory to this Government, and in accordance with the views and the policy which it had maintained.

The tribunal, which had convened at Geneva in December, concluded its laborious session on the 14th day of September last, on which day having availed itself of the discretionary power given to it by the treaty to award a sum in gross, it made its decision, whereby it awarded the sum of fifteen millions five hundred thousand dollars in gold, as the indemnity to be paid by Great Britain to the United States for the satisfaction of all the claims referred to its consideration.

This decision happily disposes of a long-standing difference between the two governments, and, in connection with another award made by the German Emperor, under a reference to him by the same treaty,

leaves these two governments without a shadow upon the friendly relations which it is my sincere hope may forever remain equally unclouded.

The report of the agent of the United States appointed to attend the Geneva tribunal, accompanied by the protocols of the proceedings of the arbitrators, the arguments of the counsel of both governments, the award of the tribunal, and the opinions given by the several arbitrators, is transmitted herewith.

I have caused to be communicated, to the heads of the three friendly powers who complied with the joint request made to them under the treaty, the thanks, of this Government for the appointment of arbitrators made by them respectively, and also my thanks to the eminent person ages named by them, and my appreciation of the dignity, patience, impartiality, and great ability with which they discharged their arduous and high functions.

Her Majesty's government has communicated to me the appreciation by Her Majesty of the ability and indefatigable industry displayed by Mr. Adams, the arbitrator named on the part of this Government, during the protracted inquiries and discussions of the tribunal. I cordially unite with Her Majesty in this appreciation.

It is due to the agent of the United States before the tribunal to record my high appreciation of the marked ability, unwearied patience, and the prudence and discretion with which he has conducted the very responsible and delicate duties committed to him, as it is also due to the learned and eminent counsel who attended the tribunal on the part of this Government, to express my sense of the talents and wisdom which they brought to bear in the attainment of the result so happily reached.

It will be the province of Congress to provide for the distribution, among those who may be entitled to it, of their respective shares of the money to be paid. Although the sum awarded is not payable until a year from the date of the award, it is deemed advisable that no time be lost in making a proper examination of the several cases in which indemnification may be due. I consequently recommend the creation of a board of commissioners for the purpose.

By the thirty-fourth article of the treaty of Washington the respective claims of the United States and of Great Britain, in their construction of the treaty of the 15th of June, 1846, defining the boundary-line between their respective territories, were submitted to the arbitration and award of His Majesty the Emperor of Germany, to decide which of those claims is most in accordance with the true interpretation of the treaty of 1846.

His Majesty the Emperor of Germany, having been pleased to undertake the arbitration, has the earnest thanks of this Government and of the people of the United States for the labor, pains, and care which he has devoted to the consideration of this long-pending difference. I have caused an expression of my thanks to be communicated to His

Majesty. Mr. Bancroft, the representative of this Government at Berlin, conducted the case, and prepared the statement on the part of the United States, with the ability that his past services justified the public in expecting at his hands. As a member of the Cabinet at the date of the treaty which has given rise to the discussion between the two Governments, as the minister to Great Britain when the construction now pronounced unfounded was first advanced, and as the agent and representative of the Government to present the case and to receive the award, he has been associated with the question in all of its phases, and in every stage has manifested a patriotic zeal and earnestness in maintenance of the claim of the United States. He is entitled to much credit for the success which has attended the submission.

After a patient investigation of the case and of the statements of each party, His Majesty the Emperor, on the 21st day of October last, signed his award in writing, decreeing that the claim of the Government of the United States, that the boundary-line between the territories of Her Britannic Majesty and the United States should be drawn through the Haro Channel, is most in accordance with the true interpretation of the treaty concluded on the 15th of June, 1846, between the Governments of Her Britannic Majesty and of the United States.

Copies of the "case" presented on behalf of each government, and of the "statement in reply" of each, and a translation of the award, are transmitted herewith.

This award confirms the United States in their claim to the important archipelago of islands lying between the continent and Vancouver's Island, which for more than twenty-six years (ever since the ratification of the treaty) Great Britain has contested, and leaves us, for the first time in the history of the United States as a nation, without a question of disputed boundary between our territory and the possessions of Great Britain on this continent.

It is my grateful duty to acknowledge the prompt, spontaneous action of Her Majesty's government in giving effect to the award. In anticipation of any request from this Government, and before the reception in the United States of the award signed by the Emperor, Her Majesty had given instructions for the removal of her troops which had been stationed there, and for the cessation of all exercise or claim of jurisdiction, so as to leave the United States in the exclusive possession of the lately disputed territory. I am gratified to be able to announce that the orders for the removal of the troops have been executed, and that the military joint occupation of San Juan has ceased. The islands are now in the exclusive possession of the United States.

It now becomes necessary to complete the survey and determination of that portion of the boundary-line (through the Haro Channel) upon which the commission which determined the remaining part of the line were unable to agree. I recommend the appointment of a commission

to act jointly with one which may be named by Her Majesty for that purpose.

Experience of the difficulties attending the determination of our admitted line of boundary, after the occupation of the territory, and its settlement by those owing allegiance to the respective governments, points to the importance of establishing, by natural objects or other monuments, the actual line between the territory acquired by purchase from Russia, and the adjoining possessions of Her Britannic Majesty. The region is now so sparsely occupied that no conflicting interests of individuals or of jurisdiction are likely to interfere to the delay or embarrassment of the actual location of the line. If deferred until population shall enter and occupy the territory, some trivial contest of neighbors may again array the two governments in antagonism. I therefore recommend the appointment of a commission, to act jointly with one that may be appointed on the part of Great Britain, to determine the line between our territory of Alaska and the coterminous possessions of Great Britain.

In my last annual message I recommended the legislation necessary on the part of the United States to bring into operation the articles of the treaty of Washington, of May 8, 1871, relating to the fisheries, and to other matters touching the relations of the United States toward the British North American possessions, to become operative so soon as the proper legislation should be had on the part of Great Britain and its possessions.

That legislation on the part of Great Britain and its possessions had not then been had, and during the session of Congress a question was raised which for the time raised a doubt whether any action by Congress in the direction indicated would become important. This question has since been disposed of, and I have received notice that the Imperial Parliament and the legislatures of the provincial governments have passed laws to carry the provisions of the treaty on the matters referred to into operation. I therefore recommend your early adoption of the legislation in the same direction necessary on the part of this Government.

The joint commission for determining the boundary-line between the United States and the British possessions, between the Lake of the Woods and the Rocky Mountains, has organized and entered upon its work. It is desirable that the force be increased in order that the completion of the survey and determination of the line may be the sooner attained. To this end I recommend that a sufficient appropriation be made.

With France, our earliest ally; Russia, the constant and steady friend of the United States; Germany, with whose government and people we have so many causes of friendship and so many common sympathies, and the other powers of Europe, our relations are maintained on the most friendly terms.

Since my last annual message the exchange has been made of the ratifications of a treaty with the Austro-Hungarian empire, relating to naturalization; also of a treaty with the German empire respecting consuls and trade-marks; also of a treaty with Sweden and Norway relating to naturalization; all of which treaties have been duly proclaimed.

Congress, at its last session, having made an appropriation to defray the expense of commissioners on the part of the United States to the International Statistical Congress at St. Petersburg, the persons appointed in that character proceeded to their destination and attended the sessions of the congress. Their report shall in due season be laid before you. This congress meets at intervals of about three years, and has held its sessions in several of the countries of Europe. I submit to your consideration the propriety of extending an invitation to the congress to hold its next meeting in the United States. The Centennial celebration to be held in 1876 would afford an appropriate occasion for such meeting.

Preparations are making for the International Exposition to be held during the next year in Vienna, on a scale of very great magnitude. The tendency of these expositions is in the direction of advanced civilization, and of the elevation of industry and of labor, and of the increase of human happiness, as well as of greater intercourse and good will between nations. As this exposition is to be the first which will have been held in Eastern Europe, it is believed that American inventors and manufacturers will be ready to avail themselves of the opportunity for the presentation of their productions if encouraged by proper aid and protection.

At the last session of Congress, authority was given for the appointment of one or more agents to represent this Government at the exposition. The authority thus given has been exercised; but, in the absence of any appropriation, there is danger that the important benefits which the occasion offers will, in a large degree, be lost to citizens of the United States. I commend the subject strongly to your consideration, and recommend that an adequate appropriation be made for the purpose.

To further aid American exhibitors at the Vienna Exposition I would recommend, in addition to an appropriation of money, that the Secretary of the Navy be authorized to fit up two naval vessels to transport between our Atlantic cities and Trieste, or the most convenient port to Vienna, and back, their articles for exhibition.

Since your last session the President of the Mexican Republic, distinguished by his high character, and by his services to his country, has died. His temporary successor has now been elected with great unanimity by the people, a proof of confidence on their part in his patriotism and wisdom, which it is believed will be confirmed by the results of his administration. It is particularly desirable that nothing should be left

undone by the government of either republic to strengthen their relations as neighbors and friends.

It is much to be regretted that many lawless acts continue to disturb the quiet of the settlements on the border between our territory and that of Mexico, and that complaints of wrongs to American citizens in various parts of the country are made. The revolutionary condition in which the neighboring republic has so long been involved, has in some degree contributed to this disturbance. It is to be hoped that with a more settled rule of order through the republic, which may be expected from the present government, the acts of which just complaint is made will cease.

The proceedings of the commission under the convention with Mexico of the 4th of July, 1868, on the subject of claims, have unfortunately been checked by an obstacle, for the removal of which measures have been taken by the two governments which it is believed will prove successful.

The commissioners appointed, pursuant to the joint resolution of Congress of the 7th of May last, to inquire into depredations on the Texan frontier, have diligently made investigations in that quarter. Their report upon the subject will be communicated to you. Their researches were necessarily incomplete, partly on account of the limited appropriation made by Congress. Mexico, on the part of that government, has appointed a similar commission to investigate these outrages. It is not announced officially, but the press of that country states that the fullest investigation is desired, and that the co-operation of all parties concerned is invited to secure that end. I therefore recommend that a special appropriation be made at the earliest day practicable, to enable the commissioners on the part of the United States to return to their labors without delay.

It is with regret that I have again to announce a continuance of the disturbed condition of the island of Cuba. No advance toward the pacification of the discontented part of the population has been made. While the insurrection has gained no advantages and exhibits no more of the elements of power or of the prospects of ultimate success than were exhibited a year ago, Spain, on the other hand, has not succeeded in its repression, and the parties stand apparently in the same relative attitude which they have occupied for a long time past.

This contest has lasted now for more than four years. Were its scene at a distance from our neighborhood, we might be indifferent to its result, although humanity could not be unmoved by many of its incidents wherever they might occur. It is, however, at our door.

I cannot doubt that the continued maintenance of slavery in Cuba is among the strongest inducements to the continuance of this strife. A terrible wrong is the natural cause of a terrible evil. The abolition of slavery, and the introduction of other reforms in the administration of government in Cuba, could not fail to advance the restoration of peace

and order. It is greatly to be hoped that the present liberal government of Spain will voluntarily adopt this view.

The law of emancipation, which was passed more than two years since, has remained unexecuted in the absence of regulations for its enforcement. It was but a feeble step toward emancipation, but it was the recognition of right, and was hailed as such, and exhibited Spain in harmony with sentiments of humanity and of justice, and in sympathy with the other powers of the Christian and civilized world.

Within the past few weeks the regulations for carrying out the law of emancipation have been announced, giving evidence of the sincerity of intention of the present government to carry into effect the law of 1870. I have not failed to urge the consideration of the wisdom, the policy, and the justice of a more effective system for the abolition of the great evil which oppresses a race, and continues a bloody and destructive contest close to our border, as well as the expediency and the justice of conceding reforms of which the propriety is not questioned.

Deeply impressed with the conviction that the continuance of slavery is one of the most active causes of the continuance of the unhappy condition in Cuba, I regret to believe that citizens of the United States, or those claiming to be such, are large holders in Cuba of what is there claimed as property, but which is forbidden and denounced by the laws of the United States. They are thus, in defiance of the spirit of our own laws, contributing to the continuance of this distressing and sickening contest. In my last annual message I referred to this subject, and I again recommend such legislation as may be proper to denounce, and, if not prevent, at least to discourage American citizens from holding or dealing in slaves.

It is gratifying to announce that the ratifications of the convention concluded under the auspices of this Government, between Spain on the one part, and the allied republics of the Pacific on the other, providing for an armistice, have been exchanged. A copy of the instrument is herewith submitted. It is hoped that this may be followed by a permanent peace between the same parties.

The differences which at one time threatened the maintenance of peace between Brazil and the Argentine Republic, it is hoped are in the way of satisfactory adjustment.

With these states, as with the republics of Central and of South America, we continue to maintain the most friendly relations.

It is with regret, however, I announce that the government of Venezuela has made no further payments on account of the awards under the convention of the 25th of April, 1866. That republic is understood to be now almost, if not quite, tranquilized. It is hoped, therefore, that it will lose no time in providing for the unpaid balance of its debt to the United States, which, having originated in injuries to our citizens by Venezuelan authorities, and having been acknowledged, pursuant to a treaty, in the most solemn form known among nations, would seem to

deserve a preference over debts of a different origin and contracted in a different manner. This subject is again recommended to the attention of Congress for such action as may be deemed proper.

Our treaty relations with Japan remain unchanged. An imposing embassy from that interesting and progressive nation visited this country during the year that is passing; but being unprovided with powers for the signing of a convention in this country, no conclusion in that direction was reached. It is hoped, however, that the interchange of opinions which took place during their stay in this country has led to a mutual appreciation of the interests which may be promoted when the revision of the existing treaty shall be undertaken.

In this connection I renew my recommendation of one year ago, that, "to give importance and to add to the efficiency of our diplomatic relations with Japan and China, and to further aid in retaining the good opinion of those peoples, and to secure to the United States its share of the commerce destined to flow between those nations and the balance of the commercial world, an appropriation be made to support at least four American youths in each of those countries, to serve as a part of the official family of our ministers there. Our representatives would not even then be placed upon an equality with the representatives of Great Britain and of some other powers. As now situated, our representatives in Japan and China have to depend, for interpreters and translators, upon natives of those countries, who know our language imperfectly, or procure for the occasion the services of employes in foreign business-houses, or the interpreters to other foreign ministers."

I renew the recommendation made on a previous occasion, of the transfer to the Department of the Interior, to which they seem more appropriately to belong, of all the powers and duties in relation to the Territories with which the Department of State is now charged by law or by custom.

Congress, from the beginning of the Government, has wisely made provision for the relief of distressed seamen in foreign countries. No similar provision, however, has hitherto been made for the relief of citizens in distress abroad, other than seamen. It is understood to be customary with other governments to authorize consuls to extend such relief to their citizens or subjects in certain cases. A similar authority, and an appropriation to carry it into effect, are recommended in the case of citizens of the United States destitute or sick under such circumstances. It is well known that such citizens resort to foreign countries in great numbers. Though most of them are able to bear the expenses incident to locomotion, there are some who, through accident or otherwise, become penniless, and have no friends at home able to succor them. Persons in this situation must either perish, east themselves upon the charity of foreigners, or be relieved at the private charge of our own officers, who usually, even with the most benevolent dispositions, have nothing to spare for such purposes.

Should the authority and appropriation asked for be granted, care will be taken so to carry the beneficence of Congress into effect that it shall not be unnecessarily or unworthily bestowed.

TREASURY.

The moneys received and covered into the Treasury during the fiscal year ended June 30, 1872, were :

From customs.....	\$216,370,296 77
From sales of public lands.....	2,575,714 19
From internal revenue.....	130,642,177 72
From tax on national bank circulation, &c.....	6,523,396 39
From Pacific Railway companies.....	749,861 87
From customs fines, &c.....	1,136,442 34
From fees, consular, patent, land, &c.....	2,384,005 02
From miscellaneous sources.....	4,412,254 71
Total ordinary receipts.....	364,694,229 91
From premium on sales of coin.....	9,412,637 65
Total net receipts.....	374,106,867 56
Balance in Treasury June 30, 1871, (including \$18,223.35 received from "unavailable").....	109,935,705 59
Total available cash.....	484,042,573 15

The net expenditures by warrants during the same period were :

For civil expenses.....	\$16,187,059 90
For foreign intercourse.....	1,839,369 14
For Indians.....	7,061,728 82
For pensions.....	28,533,402 76
For military establishment, including fortifications, river and harbor improvements, and arsenals.....	35,372,157 80
For naval establishment, including vessels and machinery and improvements at navy-yards.....	21,249,809 99
For miscellaneous civil, including public buildings, light-houses, and collecting the revenue.....	42,968,329 04
For interest on the public debt.....	117,357,839 72
Total, exclusive of principal and premium on the public debt.....	270,559,695 91
For premium on bonds purchased.....	\$6,054,206 76
For redemption of the public debt.....	99,960,253 54
Total net disbursements.....	106,918,520 30
Balance in Treasury June 30, 1872.....	377,478,216 21
Total.....	484,042,573 15

From the foregoing statement it appears that the net reduction of the principal of the debt during the fiscal year ending June 30, 1872, was \$99,960,253.54.

The source of this reduction is as follows:

Net ordinary receipts during the year.....	\$361,694,929 91
Net ordinary expenditures, including interest on the public debt.....	270,559,695 91
Leaving surplus revenue.....	94,134,534 00
Add amount received from premium on sales of gold, in excess of the premium paid on bonds purchased.....	2,454,370 89
Add the amount of the reduction of the cash balance at the close of the year, accompanied with same at commencement of the year....	3,371,318 65
Total.....	99,960,233 54

This statement treats solely of the principal of the public debt.

By the monthly statement of the public debt, which adds together the principal, interest due and unpaid, and interest accrued to date, not due, and deducts the cash in the Treasury as ascertained on the day of publication, the reduction was \$100,544,491.28.

The source of this reduction is as follows:

Reduction in principal account.....	\$99,960,003 54
Reduction in unpaid interest account.....	3,339,952 96
Reduction in cash on hand.....	103,200,956 50
	2,746,495 28
	100,544,491 28

On the basis of the last table the statements show a reduction of the public debt, from the 1st of March, 1869, to the present time, as follows:

From March 1, 1869, to March 1, 1870.....	\$87,134,782 84
From March 1, 1870, to March 1, 1871.....	117,619,630 25
From March 1, 1871, to March 1, 1872.....	94,895,348 94
From March 1, 1872, to November 1, 1872, (eight months).....	61,047,237 84
Total.....	360,696,999 87

With the great reduction of taxation by the acts of Congress at its last session, the expenditure of the Government in collecting the revenue will be much reduced for the next fiscal year. It is very doubtful, however, whether any further reduction of so vexatious a burden upon any people will be practicable for the present. At all events, as a measure of justice to the holders of the nation's certificates of indebtedness, I would recommend that no more legislation be had on this subject, unless it be to correct errors of omission or commission in the present laws, until sufficient time has elapsed to prove that it can be done and still leave sufficient revenue to meet current expenses of Government, pay interest on the public debt, and provide for the sinking-fund established by law. The preservation of our national credit is of the highest importance; next in importance to this comes a solemn duty to provide

a national currency, of fixed, unvarying value, as compared with gold, and as soon as practicable, having due regard for the interests of the debtor class, and the vicissitudes of trade and commerce, convertible into gold at par.

WAR DEPARTMENT.

The report of the Secretary of War shows the expenditures of the War Department for the fiscal year ending June 30, 1871, to be \$35,799,991.82, and for the fiscal year ending June 30, 1872, to be \$35,372,157.20, showing a reduction in favor of the last fiscal year of \$427,834.62.

The estimates for military appropriations for the next fiscal year, ending June 30, 1874, are \$33,801,378.78.

The estimates of the Chief of Engineers are submitted separately for fortifications, river and harbor improvements, and for public buildings and grounds, and the Washington aqueduct.

The affairs of the Freedmen's Bureau have all been transferred to the War Department, and regulations have been put into execution for the speedy payment of bounty, pay, &c., due colored soldiers, properly coming under that bureau. All war accounts, for money and property, prior to 1871, have been examined and transmitted to the Treasury for final settlement.

During the fiscal year there has been paid for transportation on railroads \$1,300,000, of which \$800,857 was over the Pacific railroads; for transportation by water \$926,373.52, and by stage \$48,975.84; for the purchase of transportation animals, wagons, hire of teamsters, &c., \$924,650.64.

About \$370,000 have been collected from Southern railroads during the year, leaving about \$4,000,000 still due.

The Quartermaster has examined and transmitted to the accounting officers for settlement, \$367,172.72 of claims by loyal citizens for quartermasters' stores taken during the war.

Subsistence supplies to the amount of \$89,948.12 have been issued to Indians.

The annual average mean strength of the Army was 24,101 white, and 2,494 colored soldiers. The total deaths for the year reported, were 367 white and 54 colored.

The distribution of the Medical and Surgical History of the War is yet to be ordered by Congress.

There exists an absolute necessity for a medical corps of the full number established by act of Congress of July 28, 1866; there being now fifty-nine vacancies, and the number of successful candidates rarely exceeds eight or ten in any one year.

The river and harbor improvements have been carried on with energy and economy. Though many are only partially completed, the results have saved to commerce many times the amount expended. The increase

of commerce, with greater depth of channels, greater security in navigation, and the saving of time, adds millions to the wealth of the country and increases the resources of the Government.

The bridge across the Mississippi River at Rock Island has been completed, and the proper site has been determined upon for the bridge at La Crosse.

The able and exhaustive report made by the commission appointed to investigate the Sutro Tunnel has been transmitted to Congress.

The observations and reports of the Signal Office have been continued. Stations have been maintained at each of the principal lake, seaport, and river cities. Ten additional stations have been established in the United States, and arrangements have been made for an exchange of reports with Canada, and a similar exchange of observations is contemplated with the West India Islands.

The favorable attention of Congress is invited to the following recommendations of the Secretary of War:

A discontinuance of the appointment of extra lieutenants to serve as adjutants and quartermasters; the adoption of a code providing specific penalties for well-defined offenses, so that the inequality of sentences adjudged by courts-martial may be adjusted; the consolidation of accounts under which expenditures are made, as a measure of economy; a re-appropriation of the money for the construction of a depot at San Antonio, the title to the site being now perfected; a special act placing the cemetery at the city of Mexico on the same basis as other national cemeteries; authority to purchase sites for military posts in Texas; the appointment of commissary sergeants from non-commissioned officers, as a measure for securing the better care and protection of supplies; an appropriation for the publication of the catalogue and tables of the anatomical section of the Army Medical Museum; a re-appropriation of the amount for the manufacture of breech-loading arms, should the selection be so delayed by the board of officers as to leave the former appropriation unexpended at the close of the fiscal year; the sale of such arsenals east of the Mississippi as can be spared, and the proceeds applied to the establishment of one large arsenal of construction and repair upon the Atlantic coast, and the purchase of a suitable site for a proving and experimental ground for heavy ordnance; the abrogation of laws which deprive inventors in the United States service from deriving any benefit from their inventions; the repeal of the law prohibiting promotions in the staff-corps; a continuance of the work upon coast defenses; the repeal of the seventh section of the act of July 13, 1866, taking from engineer soldiers the per diem granted to other troops; a limitation of time for presentation of old war claims for subsistence supplies under act of July 4, 1864; and a modification in the mode of the selection of cadets for the Military Academy, in order to enhance the usefulness of the Academy, which is impaired by reason of the large amount of time necessarily expended in giving new cadets a thorough

knowledge of the more elementary branches of learning, which they should acquire before entering the Academy. Also an appropriation for philosophical apparatus and an increase in the numbers and pay of the Military Academy band.

The attention of Congress will be called during its present session to various enterprises for the more certain and cheaper transportation of the constantly increasing surplus of Western and Southern products to the Atlantic seaboard. The subject is one that will force itself upon the legislative branch of the Government sooner or later, and I suggest, therefore, that immediate steps be taken to gain all available information to insure equable and just legislation.

One route to connect the Mississippi Valley with the Atlantic, at Charleston, South Carolina, and Savannah, Georgia, by water, by the way of the Ohio and Tennessee Rivers, and canals and slack-water navigation to the Savannah and Ocmulgee Rivers, has been surveyed, and report made by an accomplished engineer officer of the Army. Second and third, new routes will be proposed for the consideration of Congress, namely, by an extension of the Kanawha and James River Canal to the Ohio, and by extension of the Chesapeake and Ohio Canal.

I am not prepared to recommend Government aid to these or other enterprises until it is clearly shown that they are not only of national interest, but that when completed they will be of a value commensurate with their cost.

That production increases more rapidly than the means of transportation in our country has been demonstrated by past experience. That the unprecedented growth in population and products of the whole country will require additional facilities, and cheaper ones for the more bulky articles of commerce to reach tide-water and a market will be demanded in the near future, is equally demonstrable. I would therefore suggest either a committee or a commission to be authorized to consider this whole question, and to report to Congress at some future day for its better guidance in legislating on this important subject.

The railroads of the country have been rapidly extended during the last few years to meet the growing demands of producers, and reflect much credit upon the capitalists and managers engaged in their construction.

In addition to these, a project to facilitate commerce by the building of a ship-canal around Niagara Falls, on the United States side, which has been agitated for many years, will, no doubt, be called to your attention at this session.

Looking to the great future growth of the country, and the increasing demands of commerce, it might be well, while on this subject, not only to have examined and reported upon the various practicable routes for connecting the Mississippi with tide-water on the Atlantic, but the feasibility of an almost continuous land-locked navigation from Maine

to the Gulf of Mexico. Such a route along our coast would be of great value at all times, and of inestimable value in case of a foreign war. Nature has provided the greater part of this route, and the obstacles to overcome are easily within the skill of the engineer.

I have not alluded to this subject with the view of having any further expenditure of public money at this time than may be necessary to procure and place all the necessary information before Congress in an authentic form, to enable it hereafter, if deemed practicable and worthy, to legislate on the subject without delay.

NAVY DEPARTMENT.

The report of the Secretary of the Navy herewith accompanying, explains fully the condition of that branch of the public service, its wants and deficiencies, expenses incurred during the past year, and appropriations for the same. It also gives a complete history of the services of the Navy for the past year, in addition to its regular service.

It is evident that, unless early steps are taken to preserve our Navy, that in a very few years the United States will be the weakest nation upon the ocean, of all great powers. With an energetic, progressive business people like ours, penetrating and forming business relations with every part of the known world, a Navy strong enough to command the respect of our flag abroad is necessary for the full protection of their rights.

I recommend careful consideration by Congress of the recommendations made by the Secretary of the Navy.

POST-OFFICE DEPARTMENT.

The accompanying report of the Postmaster General furnishes a full and satisfactory exhibit of the operations of the Post-Office Department during the year. The ordinary revenues of the Department for the fiscal year ending June 30, 1872, amounted to \$21,915,426.37, and the expenditures to \$26,658,192.31. Compared with the previous fiscal year the increase of revenue was \$1,878,330.95, or 9.37 per cent., and the increase of expenditures \$2,268,088.23, or 9.29 per cent. Adding to the ordinary revenues the annual appropriation of \$700,000 for free matter, and the amounts paid to the subsidized mail-steamship lines from special appropriations, the deficiency paid out of the general Treasury was \$3,317,765.94, an excess of \$389,707.28 over the deficiency for the year 1871.

Other interesting statistical information relating to our rapidly extending postal service is furnished in this report. The total length of railroad mail-routes on the 30th of June, 1872, was 57,911 miles, 8,077 additional miles of such service having been put into operation during the year. Eight new lines of railway post-offices have been established, with an aggregate length of 2,909 miles. The number of letters exchanged in the mails with foreign countries was 24,362,500, an increase

of 4,066,502, or 20 per cent. over the number in 1871; and the postage thereon amounted to \$1,871,257.25. The total weight of the mails exchanged with European countries exceeded 820 tons. The cost of the United States transatlantic mail-steamship service was \$220,301.70. The total cost of the United States ocean-steamship service, including the amounts paid to the subsidized lines of mail steamers, was \$1,027,020.97.

The following are the only steamship lines now receiving subsidies for mail service under special acts of Congress: The Pacific Mail Steamship Company receive \$500,000 per annum for conveying a monthly mail between San Francisco, Japan, and China, which will be increased to \$1,000,000 per annum for a semi-monthly mail on and after October 1, 1873; the United States and Brazil Mail Steamship Company receive \$150,000 per annum for conveying a monthly mail between New York and Rio de Janeiro, Brazil; and the California, Oregon, and Mexico Steamship Company receive \$75,000 per annum for conveying a monthly mail between San Francisco and Honolulu, (Hawaiian Islands,) making the total amount of mail-steamship subsidies, at present, \$725,000 per annum.

Our postal communications with all parts of the civilized world have been placed upon a most advantageous footing by the improved postal conventions and arrangements recently concluded with the leading commercial countries of Europe and America, and the gratifying statement is made that with the conclusion of a satisfactory convention with France, the details of which have been definitely agreed to by the head of the French postal department, subject to the approval of the minister of finance, little remains to be accomplished by treaty for some time to come, with respect either to reduction of rates or improved facilities of postal intercourse.

Your favorable consideration is respectfully invited to the recommendations made by the Postmaster-General for an increase of service from monthly to semi-monthly trips on the mail-steamship route to Brazil; for a subsidy in aid of the establishment of an American line of mail steamers between San Francisco, New Zealand, and Australia; for the establishment of post-office savings banks; and for the increase of the salaries of the heads of bureaus. I have heretofore recommended the abolition of the franking privilege, and see no reason now for changing my views on that subject. It not having been favorably regarded by Congress, however, I now suggest a modification of that privilege to correct its glaring and costly abuses. I would recommend also the appointment of a committee or commission to take into consideration the best method (equitable to private corporations who have invested their time and capital in the establishment of telegraph-lines) of acquiring the title to all telegraph-lines now in operation, and of connecting this service with the postal service of the nation. It is not probable that this subject could receive the proper consideration during the limits of

a short session of Congress, but it may be initiated, so that future action may be fair to the Government and to private parties concerned.

There are but three lines of ocean steamers, namely, the Pacific Mail Steamship Company, between San Francisco, China, and Japan, with provision made for semi-monthly service after October 1, 1873; the United States and Brazil line, monthly; and the California, New Zealand, and Australian line, monthly, plying between the United States and foreign ports, and owned and operated under our flag. I earnestly recommend that such liberal contracts for carrying the mails be authorized with these lines as will insure their continuance.

If the expediency of extending the aid of Government to lines of steamers which hitherto have not received it, should be deemed worthy of the consideration of Congress, political and commercial objects make it advisable to bestow such aid on a line under our flag between Panama and the Western South American ports. By this means much trade, now diverted to other countries, might be brought to us, to the mutual advantage of this country and those lying in that quarter of the continent of America.

The report of the Secretary of the Treasury will show an alarming falling off in our carrying-trade for the last ten or twelve years, and even for the past year. I do not believe that public treasure can be better expended in the interest of the whole people than in trying to recover this trade. An expenditure of \$5,000,000 per annum for the next five years, if it would restore to us our proportion of the carrying-trade of the world, would be profitably expended.

The price of labor in Europe has so much enhanced within the last few years that the cost of building and operating ocean-steamers in the United States is not so much greater than in Europe, and I believe the time has arrived for Congress to take this subject into serious consideration.

DEPARTMENT OF JUSTICE.

Detailed statements of the disbursements through the Department of Justice will be furnished by the report of the Attorney-General, and though these have been somewhat increased by the recent acts of Congress "to enforce the rights of citizens of the United States to vote in the several States of the Union," and "to enforce the provisions of the fourteenth amendment to the Constitution of the United States," and the amendments thereto, I cannot question the necessity and salutary effect of those enactments. Reckless and lawless men, I regret to say, have associated themselves together, in some localities, to deprive other citizens of those rights guaranteed to them by the Constitution of the United States, and to that end have committed deeds of blood and violence; but the prosecution and punishment of many of these persons have tended greatly to the repression of such disorders. I do not doubt that a great majority of the people in all parts of the country favor the full enjoyment by all classes of persons of those rights to which they

are entitled under the Constitution and laws; and I invoke the aid and influence of all good citizens to prevent organizations whose objects are by unlawful means to interfere with those rights. I look with confidence to the time, not far distant, when the obvious advantages of good order and peace will induce an abandonment of all combinations prohibited by the acts referred to, and when it will be unnecessary to carry on prosecutions or inflict punishment to protect citizens from the lawless doings of such combinations.

Applications have been made to me to pardon persons convicted of a violation of said acts, upon the ground that clemency in such cases would tend to tranquillize the public mind, and to test the virtue of that policy I am disposed, as far as my sense of justice will permit, to give to these applications a favorable consideration; but any action thereon is not to be construed as indicating any change in my determination to enforce with rigor such acts so long as the conspiracies and combinations therein named disturb the peace of the country.

It is much to be regretted, and is regretted by no one more than myself, that a necessity has ever existed to execute the "enforcement act." No one can desire more than I that the necessity of applying it may never again be demanded.

INTERIOR DEPARTMENT.

The Secretary of the Interior reports satisfactory improvement and progress in each of the several bureaus under the control of the Interior Department. They are all in excellent condition. The work which in some of them, for some years, has been in arrears, has been brought down to a recent date, and in all the current business is being promptly dispatched.

INDIANS.

The policy which was adopted at the beginning of this administration with regard to the management of the Indians has been as successful as its most ardent friends anticipated within so short a time. It has reduced the expense of their management; decreased their forays upon the white settlements; tended to give the largest opportunity for the extension of the great railways through the public domain and the pushing of settlements into more remote districts of the country; and at the same time improved the condition of the Indians. The policy will be maintained without any change excepting such as further experience may show to be necessary to render it more efficient.

The subject of converting the so-called Indian Territory south of Kansas into a home for the Indian, and erecting therein a territorial form of government, is one of great importance as a complement of the existing Indian policy. The question of removal to that territory has, within the past year, been presented to many of the tribes resident upon other and less desirable portions of the public domain, and has generally been

received by them with favor. As a preliminary step to the organization of such a territory it will be necessary to confine the Indians, now resident therein, to farms of proper size, which should be secured to them in fee; the residue to be used for the settlement of other friendly Indians. Efforts will be made in the immediate future to induce the removal of as many peaceably-disposed Indians to the Indian Territory as can be settled properly, without disturbing the harmony of those already there. There is no other location now available, where a people who are endeavoring to acquire a knowledge of pastoral and agricultural pursuits can be as well accommodated as upon the unoccupied lands in the Indian Territory. A territorial government should, however, protect the Indians from the inroads of whites for a term of years, until they become sufficiently advanced in the arts and civilization to guard their own rights, and from the disposal of the lands held by them for the same period.

LANDS.

During the last fiscal year there were disposed of, out of the public lands, 11,864,975 acres, a quantity greater by 1,099,270 acres than was disposed of the previous year. Of this amount, 1,370,320 acres were sold for cash; 389,460 acres located with military warrants; 4,671,332 acres taken for homesteads; 693,613 acres located with college scrip; 3,554,887 acres granted to railroads; 465,347 acres granted to wagon-roads; 714,255 acres given to States as swamp-land; 5,760 acres located by Indian scrip. The cash receipts from all sources in the Land-Office amounted to \$3,218,100. During the same period 22,016,608 acres of the public lands were surveyed, which, added to the quantity before surveyed, amounts to 583,364,780 acres, leaving 1,257,633,628 acres of the public lands still unsurveyed.

The reports from the subordinates of the Land-Office contain interesting information in regard to their respective districts. They uniformly mention the fruitfulness of the soil during the past season, and the increased yields of all kinds of produce. Even in those States and Territories where mining is the principal business, agricultural products have exceeded the local demand, and liberal shipments have been made to distant points.

PATENTS.

During the year ending September 30, 1872, there were issued from the Patent-Office 13,626 patents; 233 extensions; and 556 certificates and registries of trade-marks. During the same time 19,587 applications for patents, including re-issues and designs, have been received, and 3,100 caveats filed. The fees received during the same period amounted to \$700,954.86, and the total expenditures to \$623,533.90, making the net receipts over the expenditures \$77,400.96.

Since 1836, 200,000 applications for patents have been filed, and about 133,000 patents issued. The office is being conducted under the same

laws and general organization as were adopted at its original inauguration, when only from one hundred to five hundred applications were made per annum. The Commissioner shows that the office has outgrown the original plan, and that a new organization has become necessary. This subject was presented to Congress in a special communication in February last, with my approval and the approval of the Secretary of the Interior, and the suggestions contained in said communication were embraced in the bill that was reported to the House, by the Committee on Patents, at the last session. The subject of the re-organization of the Patent-Office, as contemplated by the bill referred to, is one of such importance to the industrial interests of the country that I commend it to the attention of Congress.

The Commissioner also treats the subject of the separation of the Patent Office from the Department of the Interior. This subject is also embraced in the bill heretofore referred to. The Commissioner complains of the want of room for the model-gallery, and for the working force and necessary files of the office. It is impossible to transact the business of the office properly without more room in which to arrange files and drawings, that must be consulted hourly in the transaction of business. The whole of the Patent-Office building will soon be needed, if it is not already, for the accommodation of the business of the Patent-Office.

PENSIONS.

The amount paid for pensions in the last fiscal year was \$30,169,340, an amount larger by \$3,708,434 than was paid during the preceding year. Of this amount \$2,313,409 were paid under the act of Congress of February 17, 1871, to survivors of the war of 1812. The annual increase of pensions by the legislation of Congress has more than kept pace with the natural yearly losses from the rolls. The act of Congress of June 8, 1872, has added an estimated amount of \$750,000 per annum to the rolls, without increasing the number of pensioners. We cannot, therefore, look for any substantial decrease in the expenditures of this Department for some time to come, or so long as Congress continues to so change the rates of pension.

The whole number of soldiers enlisted in the war of the rebellion was 2,688,523. The total number of claims for invalid pensions is 176,000, being but six per cent. of the whole number of enlisted men. The total number of claims on hand at the beginning of the year was 91,689; the number received during the year was 26,574; the number disposed of was 39,178, making a net gain of 12,604. The number of claims now on file is 79,085.

On the 30th of June, 1872, there were on the rolls the names of 95,405 invalid military pensioners, 113,518 widows, orphans, and dependent relatives, making an aggregate of 298,923 Army pensioners. At the same time there were on the rolls the names of 1,449 Navy pensioners,

and 1,730 widows, orphans, and dependent relatives, making the whole number of naval pensioners 3,179. There have been received, since the passage of the act to provide pensions for the survivors of the war of 1812, 36,551 applications, prior to June 30, 1872. Of these there were allowed, during the last fiscal year, 20,126 claims; 4,845 were rejected during the year, leaving 11,580 claims pending at that date. The number of pensions of all classes granted during the last fiscal year was 33,838. During that period there were dropped from the rolls, for various causes, 9,104 names, leaving a grand total of 232,229 pensioners on the rolls on the 30th of June, 1872.

It is thought that the claims for pensions on account of the war of 1812 will all be disposed of by the 1st of May, 1873. It is estimated that \$30,480,000 will be required for the pension service during the next fiscal year.

THE CENSUS.

The ninth census is about completed. Its early completion is a subject of congratulation, inasmuch as the use to be made of the statistics therein contained depends very greatly on the promptitude of publication.

The Secretary of the Interior recommends that a census be taken in 1875, which recommendation should receive the early attention of Congress. The interval at present established between the federal census is so long, that the information obtained at the decennial periods as to the material condition, wants and resources of the nation, is of little practical value after the expiration of the first half of that period. It would probably obviate the constitutional provision regarding the decennial census, if a census taken in 1875 should be divested of all political character, and no re-apportionment of congressional representation be made under it. Such a census, coming as it would in the last year of the first century of our national existence, would furnish a noble monument of the progress of the United States during that century.

EDUCATION.

The rapidly increasing interest in education is a most encouraging feature in the current history of the country, and it is, no doubt, true that this is due in a great measure to the efforts of the Bureau of Education. That office is continually receiving evidences, which abundantly prove its efficiency, from the various institutions of learning, and educators of all kinds throughout the country.

The report of the Commissioner contains a vast amount of educational details of great interest. The bill now pending before Congress, providing for the appropriation of the net proceeds of the sales of public lands for educational purposes, to aid the States in the general education of their rising generation, is a measure of such great importance to our real progress, and is so unanimously approved by the leading friends of education, that I commend it to the favorable attention of Congress.

TERRITORIES.

Affairs in the Territories are generally satisfactory. The energy and business capacity of the pioneers who are settling up the vast domains not yet incorporated into States are keeping pace, in internal improvements and civil government, with the older communities. In but one of them, Utah, is the condition of affairs unsatisfactory, except so far as the quiet of the citizen may be disturbed by real or imaginary danger of Indian hostilities. It has seemed to be the policy of the legislature of Utah to evade all responsibility to the Government of the United States, and even to hold a position in hostility to it.

I recommend a careful revision of the present laws of the Territory by Congress, and the enactment of such a law (the one proposed in Congress at its last session, for instance, or something similar to it) as will secure peace, the equality of all citizens before the law, and the ultimate extinguishment of polygamy.

Since the establishment of a territorial government for the District of Columbia, the improvement of the condition of the city of Washington and surroundings, and the increased prosperity of the citizens, is observable to the most casual visitor. The nation, being a large owner of property in the city, should bear, with the citizens of the District, its just share of the expense of these improvements.

I recommend, therefore, an appropriation to reimburse the citizens for the work done by them along and in front of public grounds during the past year; and liberal appropriations in order that the improvement and embellishment of the public buildings and grounds may keep pace with the improvements made by the Territorial authorities.

AGRICULTURE.

The report of the Commissioner of Agriculture gives a very full and interesting account of the several divisions of that Department—the horticultural, agricultural, statistical, entomological, and chemical, and the benefits conferred by each upon the agricultural interests of the country. The whole report is a complete history, in detail, of the workings of that Department in all its branches, showing the manner in which the farmer, merchant, and miner is informed, and the extent to which he is aided in his pursuits.

The Commissioner makes one recommendation—that measures be taken by Congress to protect and induce the planting of forests, and suggests that no part of the public lands should be disposed of without the condition that one-tenth of it should be reserved in timber where it exists, and, where it does not exist, inducements should be offered for planting it.

CENTENNIAL CELEBRATION.

In accordance with the terms of the act of Congress, approved March 3, 1871, providing for the celebration of the one hundredth anniversary

of American independence, a commission has been organized, consisting of two members from each of the States and Territories. This commission has held two sessions, and has made satisfactory progress in the organization and in the initiatory steps necessary for carrying out the provisions of the act, and for executing also the provisions of the act of June 1, 1872, creating a centennial board of finance. A preliminary report of progress has been received from the president of the commission, and is herewith transmitted. It will be the duty of the commission at your coming session to transmit a full report of the progress made, and to lay before you the details relating to the exhibition of American and foreign arts, products, and manufactures, which, by the terms of the act, is to be held under the auspices of the Government of the United States, in the city of Philadelphia, in the year 1876.

This celebration will be looked forward to by American citizens with great interest, as marking a century of greater progress and prosperity than is recorded in the history of any other nation, and as serving a further good purpose in bringing together, on our soil, peoples of all the commercial nations of the earth, in a manner calculated to insure international good feeling.

CIVIL SERVICE.

An earnest desire has been felt to correct abuses which have grown up in the civil service of the country, through the defective method of making appointments to office. Heretofore federal offices have been regarded too much as the reward of political services. Under authority of Congress, rules have been established to regulate the tenure of office and the mode of appointments. It cannot be expected that any system of rules can be entirely effective, and prove a perfect remedy for the existing evils, until they have been thoroughly tested by actual practice, and amended according to the requirements of the service. During my term of office it shall be my earnest endeavor to so apply the rules as to secure the greatest possible reform in the civil service of the Government; but it will require the direct action of Congress to render the enforcement of the system binding upon my successors, and I hope that the experience of the past year, together with appropriate legislation by Congress, may reach a satisfactory solution of this question, and secure to the public service, for all time, a practical method of obtaining faithful and efficient officers and employes.

U. S. GRANT.

EXECUTIVE MANSION, December 2, 1872.

MINUTES

OF

ASSOCIATED EXECUTIVE COMMITTEE

OF

FRIENDS

ON

INDIAN AFFAIRS.

PHILADELPHIA, PENN., FOURTH MONTH, 1874.

RICHMOND, IND.

PRINTED BY THE TELEGRAM PRINTING COMPANY.

1874.

MINUTES.

1. At a meeting of the Associated Executive Committee on Indian Affairs, held at Friends' Meeting House, Twelfth Street, Philadelphia, on Fourth Day, the 15th of Fourth Month, 1874, at 9 A. M.,
2. There were present :
 - From New England Yearly Meeting*—Edward W. Howland and Edward Earle.
 - From New York Yearly Meeting*—Wm. B. Collins and Benjamin Tatham.
 - From North Carolina Yearly Meeting*—Isham Cox and Josiah Nicholson.
 - From Baltimore Yearly Meeting*—Francis T. King.
 - From Ohio Yearly Meeting*—John Butler and George K. Jenkins.
 - From Indiana Yearly Meeting*—Charles F. Coffin and Murray Shipley.
 - From Western Yearly Meeting*—Amos Doan.
 - From Kansas Yearly Meeting*—William G. Coffin.
 - Also Robert W. Hodson, from Western, as substitute for B. C. Hobbs, and John K. Garrett, from Philadelphia, as substitute for James E. Rhoads, with minutes from their respective Committees.
 - Also our friend William Nicholson, General Agent.
3. Josiah Nicholson was appointed Assistant Clerk for the present meeting.
4. The Minutes of the meeting of the Committee held at Lawrence, Kansas, in Tenth month last, were read and approved, with the following explanation of minute 31 :
 - "The difficulty in settling the account of Agent Richards, therein referred to, was one arising from a misunderstanding by him of the channel through which certain moneys appropriated by Congress for the benefit of his Agency should be disbursed ; and it in no wise affected his character as an honest, faithful and efficient officer."
5. Our Treasurer presented his report, which was referred to Edward Earle, William B. Collins and Edward W. Howland, who were directed to audit his accounts and other bills which may be presented, and report to a future sitting ; who are also directed to prepare an amount to be raised the ensuing year by the Yearly Meetings.

6. A communication from the Secretary of the Interior has been received and read, informing us that the Senate has rejected the nomination of Mahlon Stubbs as Agent for the Kaw Indians, and asking this Committee to submit the name of some other person to be appointed in his place. The subject has claimed the consideration of this Committee; we are informed that no charges of official mismanagement, corruption, or want of efficiency were made against Mahlon Stubbs, and that his record as Agent in the Interior Department is good, but that the opposition to his appointment by members of Congress from Kansas prevented his nomination. From information received by the Committee, we believe that the objections to him were from his earnest efforts to promote the interests of the Indians, and that thereby he has incurred the ill will of some interested parties in Kansas. The subject is referred to the Washington Committee for its care.
7. An interesting letter from our friend James E. Rhoads, who, in company with Thomas Wistar and Marmaduke C. Cope, has been traveling amongst the Indians, dated Wichita Agency, 4th mo. 2d, 1874, has been received. The important subjects brought to view are referred for further consideration.
8. A written communication from our friend Barnabas C. Hobbs, a member of this Committee, was received and read, and the subjects brought to view are referred to Edward Earle, Amos Doan, W. G. Coffin and George K. Jenkins, who are appointed a "Business Committee" to consider, digest and propose to a future sitting, such points as may be referred to them, or may appear proper to receive our consideration.
9. The Committee then adjourned to meet at the rise of the meeting for worship in this house.
10. 12 M. The Committee met after attending the usual week-day meeting of Friends, to this hour.
11. A communication from Lawrie Tatum, addressed to this Committee, has been read, and is referred to the "Business Committee."
12. The subject of preparing a Memorial or Statement to Congress setting forth the results of our labors, the present position of the business, and the difficulties which surround our Agents, and what is necessary to our further success, having been introduced and considered, is referred for further consideration to the following Friends, who are desired to prepare one, if way opens for it, and produce it to a future

sitting: Benjamin Tatham, George K. Jenkins, Murray Shipley and Francis T. King, in connection with our General Agent.

13. Our General Agent presented the following report, which was read in part, and the Committee adjourned until 4 P. M.

PHILADELPHIA, PA., FOURTH MONTH, 15th, 1874.

TO THE ASSOCIATED EXECUTIVE COMMITTEE

OF FRIENDS ON INDIAN AFFAIRS:

Since the last meeting of the Committee, I have spent most of the time in Washington, and desire to call your attention to some of the subjects of official action at that point in connection with others at the various Agencies.

The President's Board of Indian Commissioners called the usual Conference of Representatives of those denominations engaged in the work of Indian Civilization. It was not however so largely attended as heretofore and seemed to lack the spirit and earnestness which should characterize such a body. The subjects which engaged its attention, in addition to reports of the progress of the work, were of great importance and deserved the deepest thought and fullest expression of those assembled. Some of these subjects were: The responsibility of the denominations in assuming the duty of nominating Agents—and how they can secure the best men, and how can they most effectually supervise the conduct of their Agents. The character of employees—how to secure the best. Women as employees, and their relative influence in promoting the work. Missionary Work—What is its character and how can its methods be improved? Schools—What is their condition?—difficulties—causes of failure—methods which promote success. The true purpose of Schools not limited to mere literary teaching, &c., &c. Benjamin Tatham and Dr. J. E. Rhoads were the only members of the Committee in attendance.

As the term of office of Agents Mahlon II. Stubbs and Isaac T. Wilson had expired, I recommended their re-appointment after conference with such members of the Washington Committee as were accessible. As the administration of both these Agents had been entirely satisfactory to the Commissioner of Indian Affairs and to the Secretary of the Interior, they promptly recommended them, and they were at once re-appointed by the President. The Senate, however, took no action in the case of either, except to refer the cases to its Committee on Indian Affairs, until near the middle of last month, when the appointment of Agent Stubbs was rejected. In various interviews with the Chairman and other members of the Committee on Indian Affairs, I was repeatedly informed that there were no charges against him of official misconduct, and that the only obstacle to a favorable report by the Committee, was the opposition of the Senators from his own State (Kansas), one of whom was a member of the Committee. This opposition was based upon protests against his confirmation, signed and forwarded by citizens of Kansas, residing in the vicinity of the former Agency, who were personally hostile to Agent Stubbs, and whose hostility was partly due to the fact that he did not consult so much their interests as those of the Indians under his care. It seems to be a usage, if not a rule of the Senate, to reject appointments that are opposed by the Congressional delegation of the State in which the appointee resides, and in accordance with this usage, the Committee on Indian Affairs of the Senate voted his rejection. At my request, however, they reconsidered their vote, and gave me an opportunity before the whole Committee to give a full statement of the case, but did not conclude to change their former decision.

Agent Gibson's appointment was confirmed by the Senate on 13th inst.

Efforts have been made for years to secure legislation for the sale of the lands belonging to the Black Bob Band of Shawnee Indians, in Eastern Kansas, but owing to the conflicting interests of the Indians, the settlers and "the speculators," no adjustment has hitherto been proposed that was acceptable to all parties. This Band was allowed by treaty to hold its lands in common. The remainder of the tribe received their allotments. During the rebellion, the Indians being located immediately adjoining the western border of Missouri, were so exposed to the depredations of the guerrilla warfare of that region, that they all left their reservation—many of the men entering the Union army. They did not return until after the close of the war. In the meantime, white men, encouraged, as they allege, by the Commissioner of Indian Affairs and the Representative in Congress from Kansas, that these lands would soon be thrown into the market to actual settlers at one dollar and a quarter per acre, located themselves upon these lands of the Black Bob Shawnees, and when the latter returned, they found themselves homeless, and after hovering about the reservation for several years, they scattered in various directions through the Indian Territory, the most of them locating with the Eastern Shawnees in the Quapaw Agency. Before they left however, a considerable number of them sold or are alleged to have sold their allotments (which had been made subsequently to the general allotment for the Shawnee tribe) and issued deeds for the same, to certain parties who were not settlers upon the lands, thus giving rise to the class of so-called "speculators." Some of these deeds have been recognized by the Department and in a few instances patents have been issued, but this process was arrested by special act of Congress. It is asserted that the Indians did not receive the amounts stated as consideration in these deeds. The lands are valuable, but are very variously estimated. Their worth, upon an average, is placed by the settlers at about \$3.00 per acre. The speculators say they are worth \$15.00, and I believe the Superintendent considers them worth about the latter amount. They are entirely occupied and some of them well improved. The Missouri River, Fort Scott and Gulf Railroad passes through or immediately by them, and they are near Kansas City. No one of the parties in interest has sufficient representation in Congress to secure its own wishes, and yet each has strength enough to defeat any combination of the others. So the matter has been delayed from year to year, the Indians getting no benefit from their lands, the settlers having no title, and the speculators having their investments fruitless. I do not see any probable solution of the difficulty this session.

The sale of the lands of the Kaw Indians under the act of 1872 having been suspended till further legislation, a bill is now pending which authorizes the Secretary of the Interior to inquire into the appraisement of said lands, and if he is satisfied that they have been appraised at more than their present cash value, he may either appoint a commission for a re-appraisement or reduce the previous appraisement, the reduction being limited to 25 per cent. The mode of payment is also modified so as to allow it to be made in six annual instalments; but if parties fail to make payments or fulfill other conditions within ninety days from the time such payments are due, they forfeit all rights under the bill and all claim to re-imbursement, compensation, &c. It is probable that the provisions of this bill are as favorable as any that can be secured and that it will be passed the present session. It is certainly important that these lands should be sold as speedily as practicable. The Indians are entirely without funds for their establishment upon their new homes, and have already consumed \$25,000

advanced by Congress, and to be re-imbursed to the treasury out of the proceeds of sales of their lands. The quantity of land sold under the appraisement did not produce enough money to pay the cost of appraisement.

I have presented no name for appointment as Agent of the Kaw Indians, as the Commissioner of Indian Affairs was willing to wait until your present meeting. In the mean time he is seriously considering the proposition to attach this Agency to that of the Osages. The arguments in favor of this annexation are that the Kaws are a branch of the Osage tribe, and of course speak the same language; and are located contiguously. Their number is small, and if placed under the same Agent as the Osages, a closer affiliation of the tribes would be likely to result, which, by leading to inter-marriage, would probably tend to arrest the physical deterioration which has, for many years, been going on amongst the Kaws. If the Department makes this arrangement, the Osage Agent will place a head-farmer amongst the Kaws, whose duties will be the same as those of the four head-farmers of the Osages. I would suggest to the Committee to nominate a Friend for Agent for the Kaw Indians, and also to indicate their views to the Commissioner as to the propriety of the proposed junction of the two Agencies. This junction has long been contemplated by the Indians, and if it is desirable to accomplish it, no more favorable time than the present will probably be found.

A delegation, representing the wilder portion of the Osages, have recently visited Washington. One purpose of their visit seemed to be to endeavor to secure a modification of the law providing for the sale of their late reservation, so that they themselves might have the management of the proceeds of said sale. They are, undoubtedly, instigated to this effort by avaricious men, who desire to defraud them of their funds. When all their lands are sold the nation will be worth probably six or eight millions of dollars, and if the disposition of this sum, or even of its interest is committed to their Council, it will become a source of complete demoralization to the leading men of the tribe, and will go to swell the fortunes of unprincipled claim Agents. There is no probability that any action will, at present, be taken by Congress in this matter, but the simple fact that millions are involved in the proposed legislation, indicates the possibility that it may be accomplished at some time.

The Osage delegation also desired to procure the appointment of a Catholic Agent, and the transfer of their school to that denomination. At the same time a memorial was presented to the Commissioner of Indian Affairs, signed by 28 of the chief counsellors and braves, who are stated to represent about three-fourths of the tribe, in which memorial they say that their school is very prosperous, and that they desire no change in the administration, and disclaim the authority of the delegation then in Washington to represent the views of the Osage Nation. There are about 250 members of the Catholic Church amongst the Osages, a fair proportion of whom are women and children. The course pursued by Agent Gibson has been very liberal. All the Catholics are allowed to exercise their choice of schools,—and those who prefer to send their children to the Catholic School in Southern Kansas receive of the school fund a sufficient portion to defray their expenses. Very many of the Catholics, however, prefer the Agency School.

The settlers upon the late Osage reservation have twice procured legislation which postponed the payment of their lands—but we have hitherto secured interest on deferred payments. An effort is again made to secure postponement and requires attention. It is also a fact that very many of these settlers have never taken any

legal steps to secure titles to their lands, and by organizing in clans for mutual protection, they prevent any other persons, who would be willing to settle upon and pay for the lands from doing so; and as the law provides for the sale of the land to actual settlers only, it is very difficult to remedy this wrong.

The proposition to organize the Indian Territory into a Territory of the United States, is probably growing in favor with members of Congress, as the impression becomes more and more distinct that some form of Government besides the various tribal organizations, is essential to the protection of life, liberty and property in that portion of the country. Several Bills have been introduced, the present session, for this purpose, but none of them is likely to pass. The appointment of a Governor of the Territory, and the institution of a United States Court would seem to be harmless measures, and might tend to promote the observance of law and order; but the organization of a Territorial Legislature with powers to enact laws concerning internal improvements, and on other very important subjects, would probably be a dangerous proceeding. The present inhabitants of the Territory are hardly likely to select a Legislature that could safely be entrusted with such powers; and it would seem desirable in any plan of organization, either to make no provision for a Territorial Legislature, or else greatly to restrict its powers and the subjects upon which it should be allowed to take action. It becomes the friends of the Indian to watch the course of events, and the indications of future action on the part of Congress, with a view of modifying whatever may seem likely to result injuriously, and of securing for this people, in their varying degrees of intelligence and moral development, those regulations which are adapted to their needs.

The Indian Appropriation Bill as now reported to the House of Representatives contains a few features deserving the notice of the Committee.

All the Superintendencies are discontinued except the Central. All the Agencies of the so-called civilized tribes (the Cherokees, Creeks, Choctaws, Chickasaws, and the Seminoles) are discontinued, and the duties now performed by these Agents are assigned to the Superintendent of the Central Superintendency and his salary is increased to \$2,500. In connection with this subject, it should be remembered that the continuance of the Superintendencies has for years been considered by many members of Congress, as entirely useless, and there is no doubt of the correctness of this opinion, so far as most of these offices are concerned. Last year it was with no little difficulty that we succeeded in retaining any Superintendency, and it was clearly the determination at the commencement of the present session to prepare the Indian Bill without providing for the retention of any. An examination of the Treaties however with the Cherokees and others showed that the Superintendent of Indian Affairs was to preside over the Okmulgee Council and so the Central Superintendency is nominally retained in the bill. It is however the desire of the Commissioner of Indian Affairs that the Superintendent should move his office to the Indian Territory and be released from the supervision of many of the Agencies now under his care, and assume the duties of Agents of the civilized tribes, or in fact to become the Governor of the Territory. If this idea is carried out, our Agents will report directly to the Commission at Washington, and the Superintendency will to all intents and purposes be discontinued. It is quite doubtful whether we shall much longer be able to prevent a change of this kind, but I think the bill will be so modified before it passes, and probably before it leaves the care of the Committee, that the change will not be actually enforced the coming year. I also believe the Northern Superintendency will be preserved.

The devotion of Friends to this work impresses our Legislators to such an extent that many of them are unwilling to refuse what we believe to be essential.

Again the bill makes provision for only one Indian Agent for the tribes in Kansas. The Pottawatomies and Kickapoes are about 40 miles apart, and one Agent will have to care for both tribes.

Two hundred thousand dollars are provided for the subsistence of the Indians at the three South Western Agencies, with a proviso that this appropriation shall be expended only on behalf of those Indians who go and remain on said reservations and refrain from hostilities. The Deficiency Bill provides for the same Indians, fifty thousand dollars for the present fiscal year, and fifty-four thousand two hundred and seventy-eight and $\frac{1}{10}$ for last fiscal year. This Deficiency Bill also provides \$10,000 for the Modoc Indians now in the Territory, and the Indian Appropriation bill \$10,000 for the same.

The latter bill also limits the amount (except as therein otherwise provided) to be expended at any one Agency for employees at \$6,000.

It prohibits the payment of any appropriation to any band of Indians whilst any portion of said band may be at war with the United States or with the white citizens of any State or Territory.

It prohibits the making of any expenditure for the next fiscal year beyond the amount specially provided in the bill.

It prohibits the giving out of supplies for more than one week in advance, and imposes the duty upon Agents of requiring service of all able-bodied Indians, from 18 to 45, for the benefit of themselves or of the tribe, to an amount equal in value to the supplies furnished them, except in the case of such tribes as the Secretary of the Interior may consider too wild and ungovernable to submit to such a regulation.

It continues the President's Board of Indian Commissioners.

It provides \$7,000 for the Okmulgee Council.

It empowers the Secretary of the Interior to set apart for educational purposes, such amounts of the annuities of any tribe as he may deem best for the welfare of the Indians.

It re-appropriates the unexpended balance of the Civilization Fund of the Central Superintendency, which was no longer available after the commencement of the present fiscal year, (6th Mo., 30th, 1873), viz., \$24,450, $\frac{1}{10}$, and appropriates for the present fiscal year for the same purpose, \$10,000.

It provides \$ for the Kickapoes, which have been removed from Mexico, and \$85,000 for the removal of the remainder.

Our application for \$50,000 for a Civilization Fund was at first rejected by the Committee on Appropriations, as were all similar applications, under the pressure of public sentiment in favor of retrenchment. They finally agreed however to the two appropriations of \$10,000 and \$24,450, with the provision authorizing the Secretary to use annuities for educational purposes. There is considerable doubt whether Congress will agree to this latter provision, as it is, to some extent, in conflict with treaty stipulations. There can be no doubt, however, that it would be far better for the Indians, were their annuities mainly used in this way. The payment to them of money, tends to destroy their inclination to self support and demoralizes them in various ways.

The Deficiency Bill also provides \$25,000, (reimbursable), for the Kaw Indians, (\$20,000 for settlement, and \$5,000 for buildings,) to be available as soon as the bill becomes a law.

The Kickapoos that were removed last year from Mexico, reached the neighborhood of the Wichita Agency about the first of 12th mo., and, owing to the exhaustion of their ponies, have remained in that section to this time. Special Agent Andrew C. Williams, met them near the Wichita Mountains, and after remaining with them a month, returned to the reservation immediately west of the Arkansas River and south of the southern line of Kansas, where he had located the women and children belonging to this tribe, who had been captured in Mexico by Gen. McKenzie. Of these there are 14 women and 22 children. Those near the Wichita Agency number 325 making 361, and there is probably an equal number still in Mexico, for whose removal arrangements will be made. Their location is still undetermined, though the Commissioner inclines to place them in the Chickasaw country instead of near the Kansas line, as at first contemplated.

In my last report I stated that, as there were no funds applicable to the erection of Agency Buildings on the Kickapoo reservation in Kansas, it had been arranged for Agent B. H. Miles to reside at the Boarding School, and for his wife to act as Matron of that establishment. There is reason to believe that this plan has been beneficial. I refer to the following report of the Agent, Matron and Teacher, for the latest information, in my possession, concerning this tribe.

KICKAPOO AGENCY, KANSAS, 3d mo., 31st, 1874.

WILLIAM NICHOLSON, *Washington, D. C.*

Enclosed I transmit Reports from the Matron and Teacher of our "Kickapoo Mission," which I hope will be satisfactory to the Committee, for we feel much encouraged in the work from our experience thus far, feeling, as we do, that there has been some further advancement in the right direction. The parents of the children attending School, are becoming very much more interested in our efforts to establish such discipline as is desirable in such a place, and uphold us in any requirement that is calculated to do them good.

Our Sabbath School has been regularly held at eleven o'clock each Sabbath, in which capacity we usually spend two hours, by first singing hymns and reading from the scriptures, after which—lessons, by those who read, with appropriate questions; those who cannot read sufficiently to understand its meaning, are given such lessons as are calculated to lay the foundation for future usefulness. School is closed by reciting texts, and reading and singing, and to say the least, such seasons are very enjoyable.

Owing to the continued cold weather we have not done much gardening, but have our *hot bed* made, and plants coming on as fast as the season will permit, and expect, "Providence permitting," to raise such vegetables as are needed for the support of the institution.

I am satisfied that the Tribe in general are more in earnest this spring than ever before to make their farming operations a success, and I have spared no pains in assisting to get their implements in readiness, and have them repair their fences so as to protect what they may raise.

There is a deep religious feeling existing in the Tribe and services are held regularly each Sabbath.

Thy Friend,

B. H. MILES,

U. S. Indian Agent.

MATRON'S REPORT OF KICKAPOO MISSION, FROM 11TH MO. 27TH, 1873, TO 3D MO. 31ST, 1874.

B. H. MILES, *U. S. Indian Agent.*

On assuming charge of Kickapoo Mission, 11th mo., 27th, 1873, there were 24 children in the institution, in good health and comfortably clothed, but were very restless and disorderly, seeming determined to continue the practice of running home at pleasure, as they had been doing for some months previous. When any one of them was missing, the Agent went in pursuit, overtook and brought them back before they got very far away, and gave them to understand that they positively should not leave without permission to go home, or any where else, and we soon got through that trouble, and the children began to seem more contented and obedient and orderly about and in the house.

We got up a Christmas Tree for the pleasure and benefit of the children, on the eve of 25th of 12th mo., and were kindly assisted in the enterprise by "Friends" of Ohio Yearly Meeting. Had the children's parents invited to supper, and to see the presents we had arranged to give them, and I am sure they, as well as the children, were pleased and gratified to the fullest extent with the occasion, which will long be remembered by them; the children say they wish we would have a Christmas Tree every three months. The parents took the children home for a visit during holidays, giving us a chance to clean and regulate the house, and to get every thing ready for next term, which opened 1st of 1st quarter, 1874, with 28 scholars, and soon increased to 43 in number, and but for sickness I think our family would have averaged over 40, and it is with pleasure that I report the children as seemingly perfectly contented and happy here, and willing in all respects to comply with our requirements.

Have made it my *study* and prayer to know how to win their love, and how to make them feel attached to this place as their home, and us as their benefactors, and we feel happy in knowing that we have been blessed with frequent assurances from their own lips and in their conduct toward us, and feel stimulated to press on with renewed energy to accomplish *greater good*.

The girls are very good, and willing to perform the work assigned them, and we manage to keep the larger ones pretty closely occupied, night and morning, and 7th days, with dish washing, bed making, sweeping, scrubbing, &c., and they often help with washing and ironing, and frequently with cooking. Many of them sew as well as women and have a taste for it, and I'm certain if they have any chance to practice the lessons taught them here, when they grow into womanhood, their example and influence will do a great deal of good to those of their tribe who so much need the example and teaching.

The boys have had not very much work to do out of doors this winter, except carrying in wood, pumping water, &c., but now that spring work is on hand we expect to have them help about gardening and farming, and they seem anxious to engage in such work.

The children are collected each day for devotional exercises and religious teaching.

Respectfully,

JERENE D. MILES,

Matron, Kickapoo Mission.

On taking charge of the Kickapoo Mission School 11th month 27th, 1873, there were 24 scholars in attendance; Number increased during the quarter to 34; went to work to establish good order, which seemed to be the thing most needful; average attendance, 27; closing 12th month 25th, 1873.

Commenced next quarter with 28 scholars, and the number increased in a short time to 43; average attendance during quarter, 35. There were nine new scholars come in who had never attended school, their ages ranging from 3 to 5 years.

In a few days got the classes arranged and every thing went nicely during the term. Some of the scholars have progressed finely, and the larger ones have been growing more and more interested in their studies throughout the term, and at the close many of the children did not care about leaving for a week's vacation.

Branches taught, Orthography, Reading, Writing, Arithmetic, and Geography. At the commencement of the term, 9 were in the Alphabet Class; at the close only 4. The others having gone to the First Reader.

Four read in History; 10 in the Third Reader; 9 in the Second Reader; 9 in the First Reader; 10 study Geography, and 4 have made considerable advancement in it. 4 study Practical Arithmetic. They commenced in Addition; have got to Reduction of Compound Numbers; 14 are studying the Multiplication Table.

All the children are drilled in Spelling, and their advancement has been pretty good.

ELIZA H. COX, Teacher.

Amongst the Pottawatomies there has been much and fatal sickness during the past winter, mostly from acute pulmonary affections. About one-twentieth of the tribe have died within the last six months. The School continues in successful operation under the care of John and Rebecca Newlin, and has numbered about the same as at last report, (34.) The attendance is quite regular—some of the children remaining for three or four months consecutively without visiting their homes.

The girls render assistance in the kitchen, taking turns of a day's service, and some of them have learned the important accomplishment of baking good bread.

One young man of good habits has entered the School with the intention of remaining for three years, although his parents are opposed to education.

The supply of cattle and hogs, poultry, &c., and their good condition, with the crops of wheat, (Fall and Winter,) corn, hay, pumpkins, &c., indicate that Agent Newlin intends to make the Institution self-supporting, so far as practicable.

A delegation of Pottawatomies has been in Washington for some time endeavoring to procure an equitable adjustment of their affairs with the Government, and has received such assistance as I have been able to give them. Their case is now before the Assistant Attorney General, whose report will probably determine the action of the Department.

The Kaw Indians have recently returned from a successful buffalo hunt, bringing in about 800 robes. They are now engaged in making rails and some of them are exchanging their robes for hogs.

A Day School attended mostly by the children of the half-breeds was kept up until the last of 2d mo., when it was suspended on account of the removal of the parents to too great a distance from the Agency. The children who attended the Mission School on the old reservation frequently beg to come and live again with their former care-takers but no buildings are in readiness for their accommodation.

Quite a change is noticeable in the half-breeds, most of whom are Catholics. No case of drunkenness has occurred amongst them for months past; some of them attend the religious meetings held at the Agency. At their request religious meetings have been held by the Agent and his co-laborers amongst them, some of which have been blessed seasons in which these people manifested much religious sensibility.

I invite your attention to the subjects of Agency and School Buildings, &c., alluded to in the accompanying letter of Agent Stubbs, and to the correspondence between Superintendent Hoag and myself relative thereto.

I also present copy of a letter addressed to me by Agent I. T. Gibson, with reference to the need of additional funds for carrying on the work of civilization amongst the Osages, and conveying information as to the condition of affairs in that tribe. The School has, since the date of that letter, increased to seventy pupils. In consultation with the Commissioner of Indian Affairs, it was concluded to apply to Congress for permission to use for a limited period, a sufficient amount of the proceeds of sales of the late Osage reservation, such permission being continued, if Congress deemed it necessary, upon the consent of the tribe. The accompanying correspondence shows the action taken in the case. The bill being considered by the Senate Committee on Indian Affairs was returned with an adverse report and indefinitely postponed, and owing to the peculiar nature of the opposition to the plan no attempt is advisable to renew it the present session. There will only be about \$15,000 available for the civilization of these Indians the ensuing fiscal year, and the Agent will be compelled to curtail his work very much:

OFFICE FOR OSAGES, 1st mo., 27th, 1874.

DR. WM. NICHOLSON, Agt. Asst. Ex. Com.,
Washington City, D. C.

We have conversed about the needs of the Osages for the current year, commencing 7th mo., 1st day, and speculated as to where the necessary funds were to come from.

When I was in Washington, some weeks since, I spoke to Commissioner Smith on the subject, after I found that nearly all the proceeds of the Osage lands had been paid over to the Cherokees; the Commissioner remarked, after some deliberation, that we had better leave that matter with thee to investigate and suggest how the funds for next year could be provided.

To meet the demands of this tribe for wagons, plows, harness, clothing, furniture for houses, &c., to keep up the school, shops, hospitals, mills, &c., at least \$150,000 ought to be and can be well expended. All that is now wanting is the proper handling of this people and the judicious expenditure of their means, and they will rapidly civilize. They are now rapidly civilizing. Ten families of blanket Osages have gone into good houses during the month, that they have assisted in building, and these have just asked me for the following articles: "chairs, tables, wash-tubs, wash-boards, smoothing irons, and dog irons."

Though the School Building is incomplete, and not fenced, we opened school on New Year's day, and have over 90 pupils,—3 of them work in the shoe shops half the day, 1 in a carpenter, and 1 in the black smiths shops, others doing heavy work in kitchen and wash-room, hauling wood, &c. The girls are also engaged in industrial pursuits. All going off nicely—most of them have Catholic parents—they do not run away, but some cry when their parents come, for fear of being taken away, and some run away from home to the school. When the blanket Osages come in

from the plains, we cannot provide for half the children that are promised us to school.

We have heard of no depredations of the Osages on the plains this summer and winter—the like never been before—everything connected with the improvement of this people is prospering, and it would be an unspeakable calamity if no funds are provided for the coming year.

Thy Friend,
ISAAC T. GIBSON,
U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR,

Washington, D. C., February 27, 1874.

SIR: I have the honor to present herewith a copy of a communication, dated the 25th instant, from the Commissioner of Indian Affairs, with a copy of a letter from a member of the "Committee of Friends," directing attention to the necessity that exists for rendering available, for the purpose of their civilization, the ample accruing funds of the Great and Little Osage Indians.

Concurring in the recommendation that Congress be requested to authorize an annual expenditure of \$200,000 for four years from the proceeds of the sales of the lands of the Great and Little Osage Indians in Kansas, or of so much of said proceeds as under the direction of the Secretary of the Interior shall be deemed necessary for the support and civilization of said Indians, I submit herewith a draught of a bill for the purpose, to which the attention of Congress is respectfully invited.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

The SPEAKER of the House of Representatives.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Washington, D. C., February 25, 1874.

SIR: Herewith I have the honor to inclose copies of a letter from William Nicholson, of the Committee of Friends on Indian Affairs, dated the 6th instant, in which the attention of the Department is invited to the necessity for some arrangement being made "by which the ample accruing funds of the Great and Little Osage Indians may be made available for their civilization."

By the 12th section of the Indian appropriation act of July 15, 1870, (Stat., vol. 16, p. 362,) it is provided that the United States, in consideration of the relinquishment by the Osage Indians of their lands in Kansas, as stipulated in the 2d article of the treaty with said Indians of September 29, 1865, (Stat., vol. 14, p. 688,) shall pay annually interest on the amount of money received as proceeds of sale of said lands, at the rate of five per centum, to be expended for the benefit of the tribe.

The greater portion of these proceeds up to the present time having, as Mr. Nicholson states in his letter, been expended in the purchase of the removal to their new reservation in the Indian Territory, and in their settlement thereat, the interest, as it accrues, is insufficient to provide for the necessities of the tribe to carry on the important work of their civilization and improvement.

It is, therefore, recommended—and the Office sustains the recommendation—that Congress be asked to authorize an annual expenditure for four years of \$200,000

from the proceeds of the sales above referred to, or so much thereof as under the direction of the Secretary of the Interior shall be deemed necessary for the support and civilization of said Indians.

A draught for a bill with the above object in view is herewith respectfully submitted.

Very respectfully, your obedient servant,

EDWARD P. SMITH,
COMMISSIONER.

The Hon. SECRETARY OF THE INTERIOR.

WASHINGTON, D. C., February 6, 1874.

It is my duty to call thy attention to the necessity for some arrangement by which the ample accruing funds of the Great and Little Osage Indians may be made available for their civilization.

The act of Congress of July, 1870, provides that the interest of the proceeds of the sales of their lands in Kansas may be used for their benefit in such manner as the President shall deem best. Nearly the whole of these proceeds to the present time have been required for the purchase of their new reservation, and for their removal and settlement. The simple provision of interest, therefore, is not for the present sufficient to supply them with the necessary means of civilization.

These Indians number 3,500, and are located in four principal settlements, each of which is in charge of a farmer, who, (with his assistants) resides at a station most central and convenient to the Indians under his special care. At each of these stations are kept oxen, plows, wagons, and other farming implements for general use in that division. The agency is centrally located as to these four stations, each of which is visited by the agent as often as practicable.

These Indians have mainly lived heretofore by the chase, and are now manifesting a most remarkable disposition to a settled life. When they were about to leave for the plains last Spring for their usual hunt, the Agent offered to such of them as were willing to adopt a different mode of life \$2.50 per hundred for rails split and laid into a solid staked and ridged fence, and also to have the land thus inclosed broken for them to plant. Fifty-eight heads of families at once went to work, making and putting into fence \$1,000 rails, and providing for each of these families a spot of ground which they could call home. Many others, upon their return from the hunt, selected locations, and desired land broken for them, which was done to the extent of the means at the agent's command. About 1,100 acres were broken last year, in lots varying from one acre to eighty, and their farm products greatly exceeded those of any previous year in their whole history. A young half-breed Osage is studying medicine, and renders good service as assistant and interpreter to the physician. Two workmen in the blacksmith-shop, the wheel-wright and the gunsmith, are all Osages. All the laborers at the saw-mill, except the engineer and sawyer, are blanket Osages. The principle of this mode of managing Indians is exceedingly important. Instead of distributing the funds of the tribe per capita, and thus promoting dependence and thriftlessness on the part of the Indian, and inciting schemes of swindling on the part of the white men, each individual Indian becomes the actual owner of the funds of his tribe in the exact proportion of his industry. The ratio of distribution is changed from a numerical to an industrial basis, and besides, each Indian receives the actual productive results of his own industry; and the principle upon which he comes into possession both of the money of the tribe, and of the results of the labor which that money purchases, is that of earning it by his own hard work. That which is earned in this way is seldom

wasted. It is valued somewhat in proportion to its cost, and the desire of individual ownership and possession thus stimulated becomes a safeguard against the disposition to waste and misuse which too often converts the system of money payments into a blighting inheritance.

Agent Gibson, in charge of these Indians, writes me, under date of 27th ultimo, that during that month (January) ten families of blanket Osages have gone into good houses, which they have assisted in building, and that they are asking for chairs, tables, wash-tubs, wash-boards, smoothing-irons, &c. He opened the Manual Labor Boarding School on New Year's day, although the building is not completed, and there are over thirty pupils, three of whom work in the shoe-shop half of the day, one in the carpenter-shop, and one in the blacksmith-shop. Others do the heavy work in and about the kitchen and wash-room, haul wood, &c. The girls are also engaged in the household and kitchen departments. The children seem happy, and manifest no disposition to run away from the school. When the blanket Osages come in from the plains, the present accommodations will not suffice for half the children that have been promised. He furthermore states that he has heard of no depredations committed on the plains by Osages during the preceding Summer or the present Winter. This could never have been said of them during any similar period in the past.

It seems to me of the utmost importance to encourage the newly-awakened disposition of these Indians toward civilization by a judicious expenditure of their own funds, and I earnestly recommend that application be made to Congress to authorize the Secretary of the Interior to expend annually for four years, for civilizing and beneficial purposes among them, the sum of \$200,000 of the proceeds of their late reservation, or so much thereof as he may deem necessary.

Very truly, &c.,

WM. NICHOLSON,
General Agent of Associated Executive
Committee of Friends on Indian Affairs.

HON. E. P. SMITH,
Commissioner of Indian Affairs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to expend from the proceeds arising from the sale of lands of Great and Little Osage Indians in the State of Kansas, as referred to in the twelfth section of the Indian appropriation act, approved July fifteen, eighteen hundred and seventy, the sum of two hundred thousand dollars per annum for four years from the passage of this act, for the support and civilization of said Indians, or so much thereof as he may deem necessary for such purposes.

In the Quapaw Agency there is an average attendance of 160 children this winter, as follows: Quapaw Mission 60—23 of whom are Modocs; Ottawa Mission 25; Wyandotte Mission 50; Peoria and Miami day School 25.

I present interesting correspondence concerning these schools for your information.

The remainder of Captain Jack's band of Modocs from Oregon, were placed on this reservation last fall. There were no funds available for their settlement or subsistence. They number 157 and should be provided with a location and aided in settling themselves. It seems now to be generally admitted that the Modoc war

might easily have been avoided by the judicious expenditure of a very small part of the \$6,000,000 which it is estimated to have cost the Government.

Certain persons about Seneca, Missouri, have recently presented to the Commissioner of Indian Affairs, through a member of Congress, charges against Agent H. W. Jones of official misconduct. The Commissioner referred the matter to Superintendent Hoag, who informs me that he commissioned Washington Hadley to investigate the matter, and that his report (not yet sent in) will acquit Agent Jones of the accusations. The Indians of that Agency have been in the habit of trading at Seneca and Baxter Springs, and have been very much demoralized by the supplies of whisky furnished them at those places. Since the establishment of a licensed trading post near the Agency, they comparatively seldom visit those border towns, and the loss of their trade has doubtless instigated the false accusations against Agent Jones.

For information concerning affairs at the Sac and Fox Agency, and amongst the Absentee Shawnees, I refer to accompanying letters of Agents J. H. Pickering, Alice Hunnicutt and Joseph Newson. It would be very desirable if a dwelling could be erected for the comfort of J. Newson and family. The funds at my command were entirely insufficient for this purpose last season. As these Indians have no annuities, and as our Civilization Fund will be cut down to \$10,000 for the whole Superintendency, I see no prospects of a boarding school for their children. The most that can be expected is to maintain a day school. If, however, a comfortable dwelling were provided, the family might be able to board a few children, provided their parents would bear the expenses.

From the Cheyenne and Arapahoe Agency, I have had no recent information.

The School at the Wichita Agency is flourishing and numbers about seventy. I refer to letters of Agent Richards herewith presented.

I have had no recent report from Agent Haworth concerning affairs at his Agency.

Our Friends Thomas Wistar and Dr. J. E. Rhodes, accompanied by Marmaduke C. Cope and Cyrus Beede are upon a visit to these Southwestern Agencies, and will be able to give full information concerning them on their return.

In reference to the request in Minute No. 11, of the proceedings of the Committee at its last meeting, I would report that upon further consideration, it became very evident to my mind, that no person could be safely and profitably introduced into the Kiowa camps until he had learned something of Indian character by an actual residence amongst them, and until he had learned to some extent the sign language. The only source from which we could expect to obtain suitable persons was amongst the employees at these Southern Agencies, and it therefore seemed unnecessary to publish any statement in regard to the matter. Besides, a very large number of applications were made very soon after the meeting of the Committee for this service. Some of these were employed at the Agencies in various positions, with a view of fitting themselves for a residence in the camps.

At the meeting of the Committee in Sixth month of last year, I was directed to prepare the Annual Report in time for consideration of the Committee at their "Summer Meeting." The present meeting is at so early a period of the year, that the Annual Report, if prepared now, would not be fresh at the assembling of the Autumnal Yearly Meetings, and if the Committee does not hold a meeting during the ensuing Summer, some direction should be given for the issuing of the usual report.

Respectfully submitted,

WILLIAM NICHOLSON.

14. Fourth Day, 4 P. M. Met about the time adjourned to. Present as at the morning session; also James Whittall, of Philadelphia, as substitute for Thomas Wistar, who is absent in the Indian Territory.

15. Our General Agent proceeded with his Report and concluded the reading of it. The various interesting points brought to view were taken into consideration in detail:

(1.) The present position of Mahlon Stubbs was considered, the Committee being desirous to retain his valuable experience and services in the same field, but the subject having been heretofore referred to the Washington Committee, is left in their hands.

(2.) The Committee recurring to the question as to the proposed junction of the Kaws and Osages, unites in believing that such union would be advantageous and desirable, and directs that our view on that question be communicated to the Commissioner of Indian Affairs.

(3.) In case the union of these tribes be not carried out, the Committee agrees to propose the name of Aaron Huddleston as Agent for the Kaws, and directs the Clerk to communicate the same to Secretary Delano.

(4.) The matter of the Black Bob Indian lands, and also of the re-appraisal of the Kaw lands, is referred to the General Agent and Washington Committee for such action as may seem advisable, for the interest of the Indians, in conjunction with the Superintendent.

(5.) Our General Agent and Washington Committee are directed to continue a watchful care over the matters connected with the Osage Indians, brought to view by the General Agent's report, and to take such action thereon, at any time, as may seem necessary and proper.

(6.) The subject of a Territorial Government for the Indians was considered and discussed. As the question is continually being raised and pressed upon Congress, and as some arrangement for the protection of life and property in that Territory, is desirable, and if any such arrangement is made, our duty is to see that the rights of the Indians are respected and preserved, the Committee, feeling the difficulty and importance of the question, refers it to the following Friends, who are desired, in connection with the Superintendent and General Agent, if possible, to digest some plan for this purpose, and report to a future meeting of this Committee, viz: Jas. E. Rhoads, Benjamin Tatham and John B. Garrett.

16. The Committee then adjourned until 8 o'clock P. M.

17. Fourth Day evening. Committee met according to adjournment.

18. Proceeded with the consideration of the General Agent's report.

(7.) That part of the report in reference to the change of the Superintendency proposed by a bill now before Congress, was brought to view, and the Committee believing that the abolition of the office of Central Superintendent will be a serious disadvantage to our work, directs our Washington Committee to endeavor to prevent the passage of the law in that form.

(8.) * * * * *

(9.) The matter of appropriations is referred to the care of the General Agent and Washington Committee.

(10.) The preparation of an Annual Report for the present year is referred to the General Agent, and we appoint Charles F. Coffin and Washington Hadley to assist him. They are directed to have 1,000 copies printed in season for the Yearly Meetings of Iowa and Ohio; they are directed to have a map to accompany the report, if one can be procured without too great expense.

19. Then adjourned until 10½ o'clock A. M.

20. Fifth Day morning, 4 mo. 16. The Committee met according to adjournment.

21. Proceeded with consideration of the General Agent's report.

(11.) The needs of the Osage Agency were referred to the General Agent and Washington Committee, who are directed to endeavor to procure additional appropriations to carry on the very interesting work in progress in that tribe.

(12.) The Committee direct the application of a sum not exceeding \$500, from the interest of the Shawnee Fund of Indiana Yearly Meeting, towards a suitable building for the Friend residing with the Absentee Shawnees, under direction of the General Agent as he may think advisable.

(13.) * * * * *

(14.) The subject of additional buildings, &c., for the Kaw Agency, is referred to the General Agent, for such action as he may be able to take to satisfactorily adjust the business.

22. The Committee directs that all our Agents use great care not to permit their expenditures to exceed their appropriations for building or other purposes, and especially to keep, at all times, within the written instructions of the Commissioner of Indian Affairs; and not assume responsibilities which are not so unauthorized.

23. * * * * *

24. Then adjourned until 3½ o'clock P. M.

25. Afternoon—met at the time adjourned to.

26. The Business Committee reports as follows in reference to the communications referred to them.

The Business Committee to whom the communications from R. C. Hobbs and Lawrie Tatum were referred, having considered them separately, report, that the one from R. C. Hobbs contains many points of interest which the pressure of other business seems to preclude action being taken upon at this time, and that those points can be better developed at some future time by him, than any one of the Committee now present.

The letter of Lawrie Tatum appears to refer to matters in the past, and we cannot discern how it calls for action at our hands at this time. His printed narrative is one showing much experience of his four years' life amongst the Indians at Fort Sill, and would be interesting to almost any one in sympathy with Indian work.

EDWARD EARLE,

4th month 16th, 1874.

For the Committee.

27. The Committee on the Treasury reports as follows, which is accepted, and the sum of \$4,000 is directed to be raised in the proportions heretofore ordered:

PHILADELPHIA, 4TH MONTH 16TH, 1874.

The Committee to examine the accounts of Charles F. Coffin, Treasurer, report that they have compared his payments with the vouchers and find his account correct, the balance in his hands being \$1,844.76.

And they recommend the raising of four thousand dollars through the several Yearly Meetings.

EDWARD EARLE,

For the Committee.

C. F. COFFIN, Treasurer Associated Executive Committee on Indian Affairs:

1873. Dr.

10 Mo. 9. To Balance as reported to the Committee at Lawrence.....\$3,595 91

" 30. " Amount received of Isaac Brooks, Jr., Treasurer of Baltimore Yearly Meeting, assessment of 1871 and 1872,..... 230 00

11 Mo. 15. " " " Josiah Nicholson, North Carolina Yearly Meeting, 1871,..... 100 00

1874.

1 Mo. 7. " " " Edward Tatum, New York, 1873,..... 340 00

" 16. " " " G. Howland, New England, 1873, .. 340 00

3 Mo. 18. " " " Clayton Hunt, Treasurer Indiana Yearly Meeting, from " Shawnee Fund,"..... 221 44

4 Mo. 9. " " " Do., Assessment, 1873,..... 340 00

" 10. " " " Francis T. King, Baltimore, 1873,..... 80 00

" 15. " " " Interest, Provident Life & Trust Co.,..... 55 94

\$5,303 29

1873.

Cr.

10 Mo. 28. By amount paid Shearman & Co., voucher 1,.....\$ 125 00
11 Mo. 12. " " " Cyrus Beede, " 2,..... 500 00
" " " William Nicholson, " 3,..... 1395 90

1874.

1 Mo. 2. " " " " " 4,..... 672 25

2 Mo. 7. " " " " " Shawnee Fund, voucher 5, 100 00

4 Mo. 4. " " " " " voucher 6,..... 660 00

" 10. " " " C. F. Coffin, postage, etc.,..... 5 38

" 15. Balance in Treasury,..... 1844 76

\$5303 29

C. F. COFFIN, Treasurer.

The following assessments upon the Yearly Meetings remain unpaid:—

North Carolina, 1872,.....\$40 00
" " 1873,..... 40 00

\$80 00

Iowa, 1871,.....\$200 00

" 1872,..... 160 00

" 1873,..... 160 00

\$520 00

Ohio, 1873,.....\$160 00

Notices have been sent to all six months past due, according to direction of the Committee.

28. The Washington Committee reports as follows, viz:

PHILADELPHIA, 4th mo., 16th, 1874.

The Washington Committee have endeavored to give the needful attention to such matters as have been referred to them, the results of which mostly appear in the report of the General Agent.

The subject of removing the Kiowa and Comanche agencies from the vicinity of Fort Sill, has claimed the attention of the Committee. Conference has been had with the Secretary of the Interior, and also with the President, both of whom admitted the propriety of the removal, and took the subject under their special consideration. We have not yet heard that anything has been done.

Dr. Nicholson has expressed his opinion that the Indians should be removed still further from Ft. Sill than has been contemplated, and the Committee are of the opinion that his views of the subject should be considered. Early in the 12th mo. last, some members of the Committee were requested to meet in Washington, in relation to an order, which, in their opinion, threatened the peaceful relations between those Indians (the Kiowas and Comanches) and the U. S. Government. The Committee represented the circumstances to the department of the Interior, and the oppressive order was at once revoked. By this prompt action the Committee believe an Indian War was averted.

EDWARD EARLE, Chairman.

29. The subject of the establishment of a supply station for the Kiowa and Comanche Indians at a greater distance from Ft. Sill, and from the Texas border, and the removal of the Agency therefrom, was

introduced and fully considered. It is the united judgment of this Committee that some such arrangement is desirable, and the subject is referred for further consideration to the Washington Committee, who are desired to report thereon to our next meeting.

30. James E. Rhoads is appointed in addition to the Washington Committee.
31. The Committee upon a Memorial to Congress, made the following report, which is united with, and the same Friends are continued to the service and directed to prepare such an one, if way opens for it, and have it presented to Congress and published. James E. Rhoads is appointed in place of Murray Shipley, released at his request.

The Committee appointed in relation to a Memorial to Congress, are united in proposing that a document be prepared that shall show the past and present condition of the Indians, since Friends took charge of them; embracing statistical information covering the work which has been done; its difficulties and encouragements; and what is yet necessary to their Christianization and civilization; illustrating the subject by incidents and facts, drawn from the experience of those who have been engaged in the this work, and that this document together with a suitable Memorial, be prepared by a Special Committee and submitted to the next meeting of the Associated Executive Committee for such action as may be then decided upon.

On behalf of the Committee,

BENJAMIN TATHAM.

4th month 10th, 1874.

32. The Clerk is directed to have such selections made from the Minutes of the present meeting as may seem advisable, and 250 copies printed, and each member of the Committee supplied therewith.
33. It is concluded that the next meeting of the Committee be held at Lawrence, Kansas, on Fifth Day, 10th month, 1874.
34. Having been favored during the sittings of this Committee with a feeling of great harmony and love, under a sense of the loving kindness of our Heavenly Father, with thankfulness for all His mercies, the Committee solemnly concludes.

CHARLES F. COFFIN, CLERK.

494.27

TESTIMONY

OF

GEN. GEORGE A. CUSTER,

BEFORE

The Committee of Expenditures of the War Department.

TESTIMONY

OF

GEN. GEORGE A. CUSTER,

BEFORE

The Committee of Expenditures of the War Department.

WASHINGTON, March 29, 1876.

GEORGE A. CUSTER sworn and examined.

By the Chairman:

Q. Where were you in command?

A. At Fort Abraham Lincoln, Dakota.

Q. How long have you been in command there?

A. Three years.

Q. Please state who were the post or Indian traders at the different forts and Indian posts on the Upper Missouri at the time you came there, if you recollect them, taking the posts consecutively as you go up?

A. At Fort Rice, Captain Harmon was post trader three years ago; at Fort Lincoln, S. A. Dickey. The other posts I cannot testify to positively. It was difficult to tell who were the traders at that time.

The Chairman. If you will name the posts as you go up, I will give you the traders from the official list.

The Witness. Fort Sully.

The Chairman. Durfee and Peck were there until 1872. George R. Durfee was appointed June 21, 1872, and superceded July 3, 1874; so he must have been there when you came there.

The Witness. Fort Rice.

The Chairman. Miller resigned there May 26, 1873, and William Harmon succeeded him.

Witness. That is the one that I mentioned. The trader at Fort Lincoln was S. A. Dickey. As to the forts further up I cannot state positively.

-Q. If changes were made in these post traders, can you tell me how they were brought about?

A. Only at Fort Abraham Lincoln, at which post I reside. I can testify more particularly in regard to that.

Q. Go on and state what you know about it.

A. S. A. Dickey was trader there in 1873. He was appointed before I went there. The first time my attention was called to the change, or proposed change, in the post tradership at Fort Lincoln was by this letter, by order of the Secretary of War.

“WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
WASHINGTON, January 5, 1876.

“To the COMMANDING OFFICER,

Fort Abraham Lincoln, Dakota Territory:

“SIR: The President has been informed by First Lieutenant W. W. Dougherty, Twenty-second Infantry, that Mr. S. A. Dickey, post trader at Fort Abraham Lincoln, is charged with violation of the revenue laws and introducing intoxicating liquors among the Indians. It has been also represented to the President that the office of post trader is held by Mr. Dickey really for the benefit of Robert Wilson, formerly trader at Fort Riley, and who was driven from that post for disloyalty.

“The Secretary of War therefore directs that you investigate the matter and make full report to this office of the facts in the case.

“Very respectfully, your obedient servant,

“(Signed) E. D. TOWNSEND,
Adjutant General.”

Upon the receipt of this letter, I began an investigation, but was unable to find that Mr. Dickey had violated the revenue law. He had introduced liquors into the Indian Territory, but, as was afterwards shown, he had done it by military authority. Mr. Robert Wilson and Mr. Dickey managed the business of post tradership together. As to question of disloyalty, Mr. Wilson furnished ample proof that he had always been loyal. Among other letters, he

had one from Vice-President Wilson, and others from quite a number of prominent officials, relating to this charge of disloyalty. I made a report to the Secretary of War, in which I stated that Mr. Dickey was an unfit person to hold the appointment of post trader, on account of the bad influence he exercised over young officers. The next letter I received was May 29, 1874:

“WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
WASHINGTON, May 29, 1874.

“SIR: You are hereby notified that the Secretary of War has appointed Mr. Robert C. Seip a post trader at Fort Abraham Lincoln, Dakota Territory, under the provisions of section 22 of the act of July 15th, 1870, to take effect July 1st, 1874.

“As soon as Mr. Seip shall be prepared to enter upon the discharge of his duties, you will cause the removal from the military reservation, Fort Abraham Lincoln, Dakota Territory, of all traders not holding a letter of appointment from the Secretary of War under said act.

“By order of the Secretary of War:

(Signed) E. D. TOWNSEND,
Adjutant General.

“To the COMMANDING OFFICER,
Fort Abraham Lincoln, Dakota Territory.”

Mr. Robert Wilson, who was a partner of Dickey's, and who was removed, published a letter, it seems, in regard to it. I don't remember that I ever saw the letter that was published, but my attention was called to it by a letter from the Secretary of War sent to General Sheridan, and afterwards transmitted to me through the official channels.

“WAR DEPARTMENT,
WASHINGTON, D. C., Sept. 11, 1874.

“General P. H. SHERIDAN,
Chicago, Ill.:

“MY DEAR GENERAL: I have had a slip inclosed to me by mail, a slip from some newspaper, I do not know where published nor what paper it is from, containing an advertisement of a card signed by himself and addressed from Bismarck, D. T., to Mr. A. C. Leighton, post trader at Fort Buford, in which Mr. Wilson remarks that ‘I am satisfied

that the Secretary of War is a party indirectly interested with the firm of which R. C. Seip, the newly-appointed trader at Fort Lincoln, is a member.

"I care nothing about this, beyond the apprehension that this remark will make more or less of an impression on army people, and men are more anxious generally to believe a lie than the truth. The thing is a lie, of course. I had nothing to do with the removal of the trader at Lincoln: he was ordered to be removed by the President, and was permitted to resign. The order came to me in the President's handwriting, and is filed with papers in the case. The order refers to the fact that Dickey is charged with violation of the revenue laws, and of introducing whisky among the Indians. It further states that the office is held in the name of Dickey, but really for the benefit of Robert Wilson, formerly sutler at Fort Riley, driven from there for disloyalty. All of this is in the President's handwriting, and that is all I know about the removal of Mr. Dickey, except that the commanding officer at Fort Lincoln, General Custer, was called upon for a report, which he made, whereupon the Hon. O. J. Dickey inclosed the resignation of his brother, S. A. Dickey, which was accepted. I do not know that you have seen this advertisement, or that anybody else has seen it, but I desire to brand the whole thing as a lie. Wilson in his card speaks about a great many things of which I know nothing.

"Yours truly,

(Signed) W. W. BELKNAP,
Secretary of War.

"An official copy respectfully furnished the commanding officer Fort Abraham Lincoln for his information."

I found, on investigation, that the tradership held by Mr. Dickey was held, as most of them are, by another person, Mr. Wilson managing the business, and Mr. Dickey being a one-third partner, and a man named Jack Morrow, on the Platte river, owning the other third. Mr. Seip then became the trader, and the prices that were charged the officers and soldiers became so exorbitant that as many as could purchase what they desired elsewhere did so, until Mr. Seip made a written complaint, and forwarded it to the Secretary of War, claiming that under the privileges which

he held as trader nobody, no officer even, had a right to buy anything elsewhere, or bring it there, but must buy everything through him. The question was carried up through my headquarters. The point came up in this way: A captain who desired to provide these articles for his men at a lower rate purchased in St. Paul some of the class of articles usually furnished by the trader, and kept them on hand, and let his men have them at cost. Mr. Seip learned of this, and made a protest to the Secretary of War. I forwarded Mr. Seip's letter, and in return, among other replies that came back, was this, calling my attention to circulars issued from the War Department prescribing the rights and privileges of traders. Referring to those circulars, it says:

"Copies of both are hereto attached. The first one contains this clause: They will be allowed the exclusive privilege of trade upon the military reserve to which they are appointed, and no other person will be allowed to trade, peddle, or sell goods, by sample or otherwise, within the limits of the reserve. That clause is plain, clear, and explicit, and means what it says.

"In the opinion of the Secretary of War, these circulars are clear enough for any to understand who desires to do so; and he has only to repeat the statement made previously many times, that any violation of either of these circulars on the part of post-traders, if reported to the Department by the post commander, as it should be, will be promptly acted upon by him.

"(Signed) W. W. BELKNAP,
Secretary of War.

"WAR DEPARTMENT, December 1, 1874."

"Official copy respectfully furnished the commanding officer at Fort Lincoln, D. T., in answer to his endorsement of the 3d ultimo on letter of Mr. R. C. Seip, post-trader, of October 29, 1874.

"By direction of the Secretary of War:
(Signed) E. A. TOWNSEND,
Adjutant General.

"A. G. OFFICE, December 7, 1874."

This captain was prohibited from furnishing his men with

these articles, and was compelled to purchase from the post trader whatever the men, or himself, or his family required. Do you wish anything further?

Q. State all that you know about the matter?

A. In regard to the manner in which the post traderships were conducted, particularly that one at Fort Lincoln, attention was called to the fact, and it was a matter of common report and common information among the officers and men, that the trader had to pay a tax to outside people, but it was impossible to trace the tax until since this break in the ring; I then sent for the trader at my post and told him that he might as well confess what had been going on, because the matter was going to be made public anyhow, and although I could not prove it, that I knew that the post had been paying a heavy tax outside, and I wanted him to tell me. He then told me that they estimated their yearly profits at \$15,000, that about one-third of it was paid to Hedrick, of Iowa, and another portion of it was paid to a man named Gen. Rice, who was supposed to be an intimate friend of the Secretary of War here in Washington; and that the division of those profits was such that the trader was finally left with about \$2,500, or \$3,000, out of the \$15,000. I asked him then if he knew of any other person to whom this money was paid. He said he knew positively only, and that he paid to Rice and Hedrick, but he was always under the impression that a portion of it went to the Secretary of War.

By Mr. Robbins:

Q. He professed not to know that, however?

A. Yes, sir; said he, "I am not a voluntary witness; I shall answer whatever I am asked, but I shall not tell anything I am not asked to tell;" so I did not pursue the investigation further, thinking there might be other means by which he could be made to tell what he knows.

By the Chairman:

Q. Do you know anything further about Fort Rice, or Fort Sully?

A. A board of officers of my command were sent to Kentucky to purchase horses for the cavalry, and while there visited at the house of a man named Tomlinson—Dr. Tomlinson—and he inquired of them how this post of Fort Rice was going on; whether it was lucrative or not, and in ex-

planation he said that he had had a friend appointed by the Secretary of War, and that he was interested in the profits. That is as much as I know of that. He said, I think, that he had this man appointed because of some attention that he had paid his family. There is another matter in regard to Fort Lincoln: this sutler, Mr. Seip, who had objected to this officer purchasing things for his men, tried to impose restrictions upon the sale of stores by the Government through the commissary department. It is usual on the frontier, where the Government employs citizens, to give them the same facilities of purchasing supplies for their tables that are allowed to the officers and men. Mr. Seip learning of this objected to it, and thought that they ought to be made to purchase from him; and, among other things, threatened that if it was not stopped he would use his influence with the Secretary of War, which he claimed to be very great, to get this officer who was selling the stores into difficulty. When called to account, he made a half-way denial, but not so as to satisfy me that he had not made the statement, because the witnesses were entitled to credit. This matter impressed me so, that when the Secretary was there on a recent visit to Fort Lincoln, I thought I would call to his attention to the fact that people in that part of the country were claiming to have great influence over him in an improper way, and I remarked that the trader was trying to hold a whip over the officers' heads, by asserting that he would bring his influence to bear upon the Secretary of War. The Secretary made no satisfactory reply, but turned it off by some remark, as much as to say, "you must not believe all you hear," or something to that effect. That was last fall. He made a tour through the Territories at the time, visiting the different posts.

Q. Have you ever had any conversation with Orville Grant, or his partner, Bonaffon, with regard to their interest in military and Indian traderships?

A. Yes, sir; I have had several conversations with Mr. Bonaffon and with Mr. Grant.

Q. Be kind enough to state what they were in the habit of telling you about it.

A. The first time I met them I was traveling from St. Paul to my post, Fort Abraham Lincoln, four or five or six hundred miles, and Mr. Bonaffon and Mr. Grant were on the same train, and as they desired to travel from Fort Lin-

coln by wagon or other similar conveyance, and about the only means of conveyance were those in possession of the military, they explained to me that they were then on a visit to certain Indian trading posts, in which they were interested; (they mentioned the posts, four or five in number. I don't know that I can state them accurately, but Fort Belknap, Fort Peck, Fort Berthold, and Standing Rock I think were the four posts they named,) and Mr. Grant asked me if I would furnish him an ambulance to make the trip. Mr. Bonaffon explained that he and Mr. Grant were about to take possession of these posts, and were going up to overhaul the stock, and see what was wanted, and he asked me if I could recommend some young man, who was familiar with Indian habits, whom they could employ, and I did recommend one. Mr. Bonaffon gave me to understand that he was equally interested with Orville Grant in these four places that they named. I think, at that time, there were other persons occupying the traderships, and they were going to effect the transfer. I have mentioned Fort Berthold, probably, as one of those posts, but when Mr. Grant got back to Bismarck he found there was some difficulty about his retaining or controlling the post himself. At any rate, he telegraphed to Mr. Delano that one Captain Raymond must be appointed trader at Fort Berthold. Mr. Delano telegraphed back at once that the appointment would be made, and this man Raymond showed the telegram to several persons in Bismarck, and claimed that he paid Grant \$1,000 for getting the appointment for him.

Q. You say that Mr. Grant was going to make a trip up to these posts, and asked you for transportation; did you give it to him?

A. I did.

Q. Why?

A. I told him that I would not give it to him as trader, but to any member of the President's family visiting here, out of courtesy to the President of the United States, I would render any facility I could.

Q. How long were they gone on that trip?

A. About the time Mr. Grant left the post on the trip, I left also on some duty, and I am not certain how long he was absent, but it must have been several weeks, as the trip involved several hundred miles' travel.

Q. What transportation did you furnish him?

A. An ambulance, four mules and a driver.

Q. Did you furnish him provisions too?

A. No, sir. I did not furnish him any provision. I have had repeated application since from his partner Bonaffon for transportation to visit the posts, but the applications came generally when I was away from the post, and did not receive attention. I never furnished transportation, that I remember, but that one time.

Q. You say that Mr. Bonaffon made the same request, but that you not being at home, it was not granted; this, then, was the only occasion of transportation?

A. Yes.

Q. Did Orville Grant ever show you any authority from the President or the Secretary of War for going up there to take possession of those posts?

A. No, sir; he never showed me anything. He told me that he had authority; but I did not care whether he had or not, and never inquired for it.

Q. Do you know anything about the extension of this great Sioux reservation across the east bank of the Missouri river?

A. Yes, sir.

Q. That was done by the proclamation of the President in January last year, and by another proclamation in April?

A. Yes, sir.

Q. What was the effect of that proclamation upon the value of traderships along that river?

A. It greatly enhanced the value by making them a more perfect monopoly by removing all opposition and rivalry.

Q. Did it dispossess any people who had acquired title to lands there?

A. I cannot say that it dispossessed people who had acquired title, because I am not sufficiently familiar with the legality of their title, but I know that it dispossessed people who claimed that they had title, and who, no doubt, but for this would eventually have acquired title.

Q. Do you know Lower Brule city?

A. I know Brule agency.

Q. There was a town laid out there called Lower Brule city. The people are applying for a large amount of damages by reason of the fact that this order destroyed all business there, and prevented trading being opened; do you know anything about that?

A. No, sir.

Q. Were you or any of your subordinates ever called upon to turn out an Indian woman who traded there in opposition to Orville Grant and Bonaffon?

A. Yes, sir; Mrs. Galpin.

Q. Please state under what circumstances?

A. An application came to me from the Indian agency at Standing Rock for troops to close up and remove the store kept by Mrs. Galpin, a full-blood Sioux squaw, who was engaged in trading with the Indians, and I declined to grant the request.

Q. Were any efforts other than that made to remove her?

A. The agent and trader made every effort that they could, without resorting to force, so far as I know; and I imagine that they were deterred from effecting their purpose by force only because all the Indians desired her as a trader, and they were afraid of encountering their hostility.

Q. Please state in general terms what you believe to have been the effect of this law of June, 1870, giving the appointment of post traders to the Secretary of War; what has been its effect upon the condition of the officers and men and on the *morale* of the troops and army?

A. Well, I don't believe it has affected the *morale* of the troops or the officers. I am very glad to be able to say that, too. I don't believe that it has affected them in the slightest degree. I have investigated this matter very thoroughly, and I am unable to connect in the slightest degree any officer or soldier with it. The effect has been to greatly embarrass them and add to the inconveniences of frontier life, which, even under the most favorable circumstances, are very great, as the troops and officers are required to pay what he considered in the States exorbitant prices for everything, owing to the immense distances goods have to be transported. That is the case always, but this law placing the appointments in the hands of the Secretary of War, and then being used in the manner he has used it, by placing the appointments in the hands of a certain ring and taxing the profits in this way, by these exactions, all of which had to come out of the pockets of the soldiers and officers, has as I have said before, greatly increased the expense and inconveniences of living on the frontier.

Q. The old system was to have a sutler or sutlers, appointed by a council of administration?

A. Yes, sir; the three senior officers at the post, except the commanding officer, constituted a council of administration. They nominated a man for the position of sutler, and that nomination was approved by the commanding officer of the post, and then by the department commander; and that constituted the appointment, and in that way it would be impossible for operations like these to be carried on.

Q. And then, if the man selected was exorbitant in his charges they had a right to give license to another, so as to bring him to reason?

A. Yes, sir.

Q. Under the present law they have no such control over the trader?

A. No, sir. Not only that, but if known to purchase elsewhere what we required for our own table we have been called to account. I have known the post-trader at Fort Lincoln to go out and stop an officer's wagon, driven by his servant, and inspect the wagon to see what was in it, and threatening to use his influence with the Secretary of War, because we traded with a town five miles distant, where we got things at about half his prices.

Q. Were those facts ever reported by you in any way to the Secretary of War?

A. No, sir; they were not, because I was just as suspicious of the Secretary as I was of the sutler.

Q. Had you any doubt that the sutler would have had influence to have himself sustained in his exactions?

A. No, sir, I had no doubt. You asked me if I ever reported these things to the Secretary of War. I did report about this officer I have mentioned. I considered that a test case, and I saw then that the Secretary of War was going to stand by the sutlers.

Q. And he did stand by them?

A. He stood by them as long as he could.

Q. Where does this Mr. Seip come from?

A. He claims to have come from Baltimore.

Q. Had you ever known him before he was appointed there?

A. No, sir; and I do not want to know him again.

Q. Is he there now?

A. He will be here to-morrow or next day, and he will tell you the whole story.

Q. He said that he divided with Hedrick and Rice?

A. Yes, sir; and he said that after dividing profits, \$15,000 a year, he never had more than \$2,500 or \$3,000 left, and he was getting tired of it.

Q. Do you know of any other posts at which the money was divided with anybody?

A. I do not know it so directly as in this case, because I brought this man up into my room, and he told me, but I know it well enough to satisfy me.

Q. State your belief generally.

A. I believe the Fort Buford probably pays as large a tax, or nearly as large, as Fort Abraham Lincoln; that is one of the largest posts in the Northwest.

Q. Do you know whom that is paid to?

A. I think Hedrick has a share of that; Leighton is the trader.

Q. Do you know of any other person than Hedrick who is interested in that?

A. No, sir; but we always regarded the Secretary of War as a silent partner in all these transactions.

Q. Do you know of the Secretary of War being engaged in any other transactions by which public money has been spent without authority or law?

A. It may be because I am not informed in regard to the law that I think so, but I heard an artist in New York speak of the Secretary paying several hundred dollars a piece for several oil portraits of different persons, and I knew that he was paying it out of Government money, and I had never read the law authorizing the procurement of these portraits in that way?

Q. Do you know whose portraits they were?

A. I was under the impression that one of them was his own; I am not certain as to the other; the artist spoke of "prominent officials," and I got the impression that one of them was the Secretary's own portrait.

Q. Who was the artist?

A. Huntington is the artist's name; I do not know his initials.

Q. Do you know what the portraits cost a piece?

A. He said that the Secretary had given him so much work that he had put down the price. The way the conver-

sation came about was this: I had gone around to see him in regard to some work I was going to have done myself, and I spoke about what a portrait of that kind would be worth, and he mentioned that he had done a good deal of that kind of work for the Secretary of War, but had charged him less because he had given him a good deal of work; I think, mentioned \$500 a piece as the price charged the Secretary of War.

By Mr. Robbins:

Q. Do you know how many?

A. He said "several."

Q. With whom did the Secretary of War stay when he was on this visit to your post?

A. Well, sir, he did not stay with anybody.

Q. How long was he there?

A. He was there but a few hours. He came down the river, and I knew of his coming and gave him such attention as his official position required, a salute was fired, but my knowledge of his transactions, and my opinion of them was such that I did not meet him at the edge of the reservation as was customary: I staid at my door and waited till he came, and transacted what business I had to transact with him, and he went away.

Q. Who did meet him?

A. I did not. Mr. Seip, the day before, sent me a note saying that he understood that the Secretary of War was about to visit the post, and he thought I would like to entertain him, and he sent up three baskets of wine, and I sent back the wine, with a note stating that I did not drink wine myself, and in any event I did not propose to entertain the Secretary of War with wine, so I returned it.

Q. Then you did not entertain him?

A. No, sir, I did not, except as I was required in an official way.

Q. Was he entertained by any one at the fort?

A. No, sir.

Q. Did Mr. Dickey ever tell you that he or his partner, Wilson ever divided their money?

A. No, sir; on the contrary he told me that that was the reason that he was removed. Mr. Dickey gave me to understand that he was removed because they did not divide; he was among the first to call my attention to this matter.

When there was a rumor that he was to be removed he said to me, "I don't know whether you know it or not, but there is not a post on this river that does not pay a tax except ours, and we don't pay simply because my brother is chairman of the Military Committee."

Q. Then his brother went out of Congress?

A. His brother went out of Congress and he went out of the settlers.

By Mr. Robbins:

Q. Did he tell you whether he had a proposition to divide?

A. No, he did not tell me that. I don't believe there was any proposition made to him, because he gave me to understand that his place was wanted for other people and he would have to get out.

By the Chairman:

Q. And he held it as long as his brother was chairman of the Military Committee?

A. Yes; and did not have to pay any tax.

Q. He was appointed April, 1872, and he held it until May 24, 1874—that is the time Mr. Dickey went out of Congress?

A. He was the first one to assure me positively that every post on that river paid a tax except his own. I was satisfied that the Secretary of War's desire to get him out was not for the reasons stated in his letter to me in regard to the alleged violation of revenue laws and the disloyalty of Bob Wilson.

Q. Because you had investigated those charges and made a report that there was no foundation for them?

A. I made report that so far as Mr. Wilson's loyalty was concerned he was all right, and I was unable to find that Dickey had violated the revenue laws. I put it into the hands of the revenue officers and they investigated very thoroughly.

Q. Was this Wilson a relative of Senator Wilson?

A. No, sir; no relation. I did mention, however, in my report, that I considered Mr. Dickey an unfit person to hold a tradership. He drank a good deal, and he was very kind-hearted and obliging, and he exercised a bad influence over young officers; that was my objection to him. But I

know that was not the ground upon which he was removed, because other traders with the same faults held their places.

Q. Is Mr. Seip a man of good moral character?

A. Well, sir, I would hate to testify to the moral character of any post trader in these times.

Q. Was he a great improvement in that respect on Mr. Dickey?

A. No, sir. I think I could make the same objection to Mr. Seip as to Mr. Dickey in regard to drinking.

Q. And he came to you there a stranger?

A. Yes, sir. I had never seen him or heard of him.

Q. What is Mr. Wilson. Is he a reputable man?

A. He is considered a reputable man, and he is very popular with officers. He has been connected with the army a great many years, and most of the officers of the army know him.

Q. The allegation is that that order extending the Great Sioux reservation was made by the President of the United States out of care for the welfare of the Indians there, so as to prevent them from having unlimited supplies of rum. I wish you to state whether in your judgment that order accomplished that design?

A. No sir; I don't believe the Indians got one drink less by the extension of the reservation.

Q. Do you believe that that was the real object of issuing that order?

A. Well, I would rather not answer that question.

Q. The effect of it was, however, in addition to improving the morals of the Indians, to improve the profits of the traders, was it not?

A. I think the profits of the traders left the morals of the Indians a long ways behind. That was the general impression along the river, that the order was for the benefit of the traders.

Q. Do you know of any persons having been sent off the reservations who tried to deal there, so as to prevent any interference with the privileges of Orville Grant and Bonaffon?

A. There was a case further up the river, in which I think a man named Tom Thum was removed on those grounds, and also, I think the reservation was enlarged at a point up the river for the same purpose.

Q. What reservation is that?

A. It is the reservation on which Fort Peck is situated.

Q. That was extended to prevent opposition?

A. That is my impression, although I do not know it, and the current story there is that Thum was about to be removed, and his privileges as a trader entirely taken away, and he obtained some affidavits showing that there were some frauds in the Indian Department, in which Leighton brothers and Orvil Grant were mixed up, and he showed them the affidavits and they allowed him to continue his trade.

Q. What were the alleged frauds?

A. It was something in connection with furnishing a certain amount of corn to the Indians at one of the agencies, and the same amount of corn was used to go through a certain form at one place, and get a receipt, and then the corn would be carried along and delivered at another place. I had a case of it at my post. There were about 8,000 bushels of corn delivered at my post, in Indian sacks, and I sent down and notified the trader that I would not receive them. They were marked "Indian Department," and I notified my quartermaster not to have anything to do with the corn.

Q. Explain how that fraud was attempted?

A. Well, for instance, suppose that the contractor who furnishes forage to the military authorities at Fort Abraham Lincoln should have a contract to furnish at the Indian post, several hundred miles up the river. He puts the forage in sacks. It is to be inspected at a certain point down the river by Indian inspectors; they inspect it, and report the contractor has started with so much corn for such an agency, and it must be marked with the Indian brand. Now, if the contractor can make an arrangement with the Indian agency where he is going to deliver it that that amount has been delivered, he can take the corn, and go where he pleases with it. This man happened to bring the corn to my post. He brought 8,000 bushels there in Indian sacks, which showed inspection by the Indian inspectors, and I declined to receive it, and it was reported to Department headquarters, and the matter was carried clear to Washington, and an order came back from the Secretary of War that the forage must be received.

By the Chairman: Although you were satisfied that it belonged to the Indian Department, and had been sold to them?

A. Well, I was satisfied that it was a very suspicious circumstance, to say the least of it, and it opened the way for frauds. To show you how the Indian traders and army traders are all mixed up, the contractor for this corn that was delivered at my place got Mr. Seip, the post-trader, to act as his agent to receive it. Seip stood by to see that it was weighed. They had some difficulty, and one of the clerks from my post went to St. Louis to look over the papers, and he saw the bill sent by Mr. Seip to this contractor, and found an item of \$50 paid the sergeant who weighed the corn. Now, Government pays the sergeant, and the only inference we could draw was that the sergeant was paid for making false weights. We had it all weighed over again, and every sack that had been under the sergeant's supervision fell short twelve to fifteen pounds.

Q. You refused to receive this corn because it was paid for as Indian supplies?

A. It would not have been marked as such without it had been paid for. I never knew of such case.

Q. Then you reported these facts to the War Department?

A. No, sir; I reported to General Terry, he reported to General Sheridan, General Sheridan to General Sherman, and then the matter was sent to the Secretary of War, and there came back an order through the regular channels to receive it.

Q. You got that order, and then you did pay for the corn?

A. Yes, sir.

Q. Have you any doubt that that corn was paid for twice by the Government?

A. I believe that it was paid for twice, but I cannot prove it any better than I have told you, because when they gave me the order to receive it I considered I was relieved from all responsibility in the matter.

Q. About what time did you bring these facts to the notice of the War Department?

A. This is a matter of record; according to my memory, I should say it was in the month of September last.

Q. What was the name of the contractor who was to supply you with this corn?

A. I cannot give you the name; he never appears at the post. He does his business through an agent. Mr. Seip

acted as his agent on this occasion. I think he lives at Sioux City.

Q. Do you know whether he was the same contractor that had a contract to supply the Indian agencies?

A. Yes, sir; I know he had, and I know that the same boat that brought supplies to me went on up the river to the Indian agencies. Speaking of Indian supplies, I have known boats passing up the river to trade off Indian flour to citizens along the river.

Q. You said that that corn was inspected; I understood you to mean that it was branded?

A. Well, I considered the brand as an evidence of inspection.

Q. Whom was this particular lot branded by?

A. That I cannot tell; "U. S. Ind. Dep." was the mark.

Q. Was every bag branded in that way?

A. Yes, sir; every bag.

Q. Could that mark have got there by accident?

A. Oh, no; they did not claim it was by accident, because they could not explain it any such way.

Q. How did they explain it, or attempt to explain it?

A. They explained that they had not calculated just the right amount for the Indians, and they had made a mistake of 8,000 bushels at one agency.

Q. How many Indians were there at that agency?

A. But there was no such number that that could occur.

Q. They did not want 8,000 bushels of corn for their support?

A. No, sir; or, at least, they did not want such an amount that a man could make a mistake of 8,000 bushels.

By Mr. Robbins:

Q. Do you know who was the Indian agent who must have been in complicity with that fraud?

A. No, sir; I cannot state the name; he was the agent at Fort Peck.

By the Chairman:

Q. If you know of any other transactions of that kind state them.

A. At the town of Bismarck, opposite Fort Lincoln, a steamer passing up last fall sold some flour to a man, eight sacks, and when he got it up to his house he found that the

sacks belonged to the Indian Department. That was a boat carrying supplies to the agency under a contract.

Q. Who was the owner of that boat?

A. That I cannot tell; it is very easy to ascertain.

Q. This man bought eight sacks of flour, and when he got them to his house he discovered that they were marked with the brand of the Indian Department?

A. Yes, sir; and he let the fact be known; Raymond (who received the appointment of Indian agent on payment of a thousand dollars) heard that the sacks of Indian flour were there, and had been discovered, and that there was going to be an official investigation, and he started a man in the night, on horseback, to head off this steamer, (sometimes you can beat a Missouri river steamer with a horse,) and he headed the steamer, and told them of the scrape they had got into, and they sent back and got the flour.

Q. Did the steamer go back?

A. No, sir; I guess they sent an order back; I don't recollect the way it was done exactly, but I believe that the flour was reclaimed.

Q. Do you know of any other transaction of that character?

A. Well, if I were to tell you all the transactions that have come to me as matters of rumor and belief, I would take up a great deal of your time. I believe that the Indian storehouse was burned at Fort Berthold under very suspicious circumstances. It is claimed by people who have investigated the subject that this man Raymond laid in an unusually large supply of flour in the fall; nobody could understand what he wanted of so large a stock, because there would not be a demand for it; but after navigation had closed the agency building at Fort Berthold was burned, and in order to keep the Indians from starving it was necessary to purchase in the market, and Raymond had plenty of flour on hand to sell. I know that he sold more than he probably ought to have sold. At that time I knew nothing of the circumstances; they came out afterwards; but it was yet a month till the cars or boats would run to bring any new supplies, and the citizens of Bismarck relied upon this store, and they were almost entirely out of flour, and he wrote a note to me, stating the wants of the citizens, and asking me if I would not allow him to have so many barrels of flour for temporary use, to satisfy the wants of the peo-

ple, and he would repay it with flour of equally good quality. I had no right to do it, but, thinking it an emergency calling upon my humanity, I let him take the flour, and he afterwards repaid it with flour of equally good quality, but I did not know at the time how he had gotten rid of his flour.

Q. Where these facts ever brought to any Government official's notice that you know of?

A. This was a matter relating entirely to the Indian Department, and officers of the army on the frontier feel a hesitancy about calling attention to anything wrong in the Indian Department, as that department is always very jealous of any interference: but the matter was reported publicly, because there was a correspondent of the *Herald* in that country at the time who thoroughly investigated all these matters, and it was published in the *Herald*; I saw it myself.

Q. No notice was taken of it?

A. No, sir; no notice was ever taken of it. To show how the Indian Department dislikes interference by the military, I will give an instance: The Standing Rock agency is about fifty miles from my headquarters. Through some mismanagement, and, as I believe, through fraud, their store of provisions became exhausted two or three months before river navigation or railroad travel opened, and the Indians came up to me and represented their starving condition; but as it was rather a common complaint with them, I was not satisfied with their statement, but sent down to the officer at that post, who is under my command, to investigate the matter, and call upon the agent and request a written statement of how much support they had for those two months, and he replied, saying that the supply was practically exhausted, and the Indians were living on their ponies, and were in almost a starving condition. He asked me if I would not send down supplies. There was no law under which I could send supplies down; but there is a law authorizing the feeding of Indians temporarily at a military post, and I said if he would allow the Indians to come up I would issue rations to them, trusting to the Indian Department to pay them back, and in the meantime I sent a full report of the matter, which was referred by the Secretary of War to the Interior Department, in which I stated that we had an abundant supply there until the opening of navigation, and suggested that

the Military Department loan to the Indian Bureau. The Indian Bureau sent back word that they preferred to feed the Indians themselves, and they would not accept the loan, and the Indians were in a suffering condition for two months, when they could have had ample supplies by complying with my suggestion. Mr. Smith was Indian Commissioner at the time.

Q. What was the reason that they were short of supplies there for two months?

A. I imagine that somebody else got their supplies.

Q. Their sacks had gone to another post?

A. Yes; I imagine they had gone to some other post by *miscalculation*.

Q. I asked you who was the contractor for this corn you have spoken about? Was he from St. Paul?

A. He may have been from St. Paul or Sioux City.

Q. Was not John H. Charles the man?

A. I cannot so testify, but the name appears to me to be the same.

Q. And the name of the agent at Fort Peck was Alderson, was it not?

A. I do not know anything about that.

Q. Do you know who owned that boat? Was it—

A. That I do not know.

By Mr. Robbins:

Q. Was Coulson the name?

A. There were three or four different parties implicated in that corn matter, and I cannot state any particular one.

By the Chairman:

Q. Do you know who were interested in that corn at all?

A. No, sir.

Q. Was Mr. Bonaffon in it in any way?

A. That I do not know. I only know officially that the same man who furnished the corn to the military at Fort Lincoln was the man who was interested in the contract with the Indian Department?

Q. Do you know a man named John Smith out there who was a contractor?

A. Yes.

Q. If he ever told you anything of the Secretary of War coming down the river and fixing up a treaty with Canada, or anything of that kind, tell us what it was?

A. Well, sir, I never would have thought of that if you had not mentioned it. There is a great deal of smuggling, particularly in the whisky trade across the British border there, and this man Smith informed me that one of the objects of the Secretary of War's visit to that country was to effect some arrangement, the details of which I did not interest myself in, by which the facilities for getting whisky across the border at some reduced rate, (I took so little interest in the manner that I don't remember that I have ever spoken or thought of the thing since,) but I remember that that was the statement, that the Secretary was out there to see if he could not make some arrangement by which better facilities could be provided for running liquors across the border—better facilities for the traders. It was some arrangement by which the traders at those posts along the frontier would have increased advantages. I never went into the particulars as to how those advantages were to be increased.

By Mr. Robbins :

Q. Do you know anything about the traders at Fort Peck having anything to do with that corn fraud, or was there any complicity on their part?

A. The only way there could have been fraud would have been complicity on the part of the agent. The agent would have to relieve the contractor in some way, by certifying that this corn had been delivered.

Q. I mean complicity on the part of the traders?

A. My experience has been that the traders and the agents are interested with each other very generally.

Q. That they have an understanding?

A. Yes; not only an understanding but I have known Indian chiefs, within the last four or five years, to accuse their agents in my presence, of taking their goods at night out of the Indian store-house and passing them over to the trader's house and then selling them to the Indians over the counter.

Q. You do not know positively whether such an arrangement existed at Fort Peck, or not?

A. No, sir, I do not?

Q. This 8,000 bushels corn fraud must have had the complicity of the Indian agent at Fort Peck?

A. Yes, sir, to have been successful.

Q. The report of the fact that this corn had been inspected

and shipped to him would have reached him in the regular course of business, and if these sacks did not come to him he must have known it, and of course must have been in complicity with their being carried elsewhere?

A. Yes, sir.

Q. You do not know whether the traders at Fort Peck were cognizant of that or had any hand in it?

A. No, sir; it is my impression that those affidavits that I spoke of Thum having produced, referred to a fraud of that kind and implicated the traders at Fort Peck.

Q. And he retained his position by threatening that exposure?

A. Yes, sir, that is my understanding.

Q. And Orville Grant and Bonaffon were the traders there at that time?

A. Yes, sir; however as to the dates these several traders got their places I am not positive.

Q. But you do know that Orville Grant and Bonaffon were the traders at the time these frauds took place?

A. Yes, sir.

Q. You spoke about it being a common affair to sell Indian flour off the boats along the river to citizens.

A. I do not think I said it was a common practice, I mentioned a particular instance; I intended to give the impression that it is commonly believed to be done, and I stated an instance that I and hundreds of people have knowledge of.

Q. Well, it is a common understanding that such things are done?

A. Yes, sir.

Q. How extensive that trade is you don't undertake to state?

A. No, sir; except that I think that is probably one of the causes of shortage in those supplies that I spoke of.

Q. Do you know of any instance in which the contractors who furnish these supplies own the boats on which they are carried?

A. It might be so, but I would not be likely to know it.

Q. You do not know whether this man Coulson owned the boat and was the contractor in the case in which the sacks of flour were sold?

A. If I had access to my records I could tell what boat it was and who was the man; cannot from memory.

Q. Speaking of the traders at Fort Peck, I called your attention to them, and used the names of Grant and Bonaffon a while ago; are you sure it was Grant and Bonaffon, or Grant and Leighton?

A. Leighton was a party; Bonaffon never visited Fort Peck to my knowledge; Leighton I know was a party; I have no knowledge that Mr. Bonaffon ever visited that post, but Bonaffon and Grant came there together at the time of that inspecting tour of the posts they were interested in; Bonaffon said, "we are interested," so-so, and Fort Peck was one of the posts mentioned, so he gave me the impression that that was one of the posts they were jointly interested in.

Q. Mr. Grant was interested with Leighton at the time of that corn fraud, was he?

A. That is my belief; I have no knowledge that Mr. Grant ever resided or traded at either of those agencies, and I am under the impression that he was not present there when this took place.

Q. At what point was the inspection of that corn made?

A. I am under the impression that it was inspected at Sioux City; it was at some point away down the Missouri river; I do not know who the inspector was.

By the Chairman:

Q. Have you any statements made to you in writing some time ago by traders who were ejected from posts, stating the reasons why they were ejected?

A. Yes, sir; I have a statement made to me by Mr. Robert Wilson, but I had only reached my post about a week before your summons reached me, and I was unable to place my hands upon his letter. That letter was written in the summer of 1874, and in it he called attention to the sale of traderships on the Missouri river, and said that he expected to be able to prove that Belknap made these posts articles of traffic, and that he was the most corrupt official who ever occupied high position; some expression like that occurred in the letter.

Q. Did you ever get any such statement from any person else, either verbal or written?

A. I received a statement from Captain Harmon, who was removed at Fort Rice, in which he tells me about the barter and sale, and money having been offered and passed, but I

did not impress it upon my mind, for the reason that he will be here himself, and will give all the facts. He is a reliable witness, and I suppose he is on his way here now. I know of a citizen receiving a statement from a prominent officer of the army, asking this citizen to expose the whole thing, and giving as a reason why he did not do it himself that the Secretary of War had been extremely kind to him.

Q. Do you know whether any of those statements were ever forwarded to the Secretary of War, or made known to him directly?

A. Yes, sir.

Q. Please state your knowledge on that subject?

A. I think Mr. Wilson forwarded a statement to the Secretary of War calling his attention to this condition of affairs. Then I knew by current report, I knew it before this investigation brought the report out of a statement having been forwarded from Fort Sill by General Hazen, and also by General Grierson. I do not know how it was forwarded, whether through the regular channels or not. It did not go through General Sherman's headquarters.

Q. Mr. Wilson's statement must have been forwarded in 1874, about the time that Mr. Dickey was removed?

A. Yes, sir; from the very first it has been known that this man Hedrick has been the collector.

Q. He is an internal revenue collector, is he not?

A. Yes, sir; internal and external both.

By Mr. Robbins:

Q. Was there some fraud at Bismarck in the way of making away with supplies, and did you have certain parties arrested there. If so, tell us all about that.

A. Yes, sir. It is impossible in that latitude to keep sentries on duty all night, it is too cold; and that, at times, furnishes opportunity for theft which would not occur otherwise, as men will take the risk of exposing themselves for an hour or two. We found that in that way the Government was losing a large amount of corn at Fort Lincoln, opposite Bismarck, and it was on a small scale a good deal like this post-tradership business, we could not get at it until we could get some member of the ring to tell. Finally I got one of the soldiers whom they had bribed to aid them, a man that was stationed to watch the corn. They had bribed him and paid him about half the value per sack, and

in that way they had taken off hundreds of sacks. There was no way of determining the number of sacks, but I think that the number of bushels that they took must have been up in the thousands. We traced it to Bismarck and arrested the men. Some of them were considered prominent citizens there, and they were tried before the United States commissioner and are now serving out terms in the penitentiary. That is about all there is of that.

Q. There were no officials implicated in that that you know of?

A. No, sir; just a case of ordinary theft.

By the Chairman:

Q. I want you to answer a general question. Had the Secretary of War been a man of purity of character and integrity of purpose, could these frauds continued going on?

A. They could not possibly have done so.

Q. And it was because they were shielded and protected by him that they occurred?

A. They could not possibly have been carried on to anything like the extent they were without his connivance and approval; and when you ask me how the morals and character of the army is affected, I, although belonging to the army, think that it is one of the highest commendations that could be made of the service to say that it has not been demoralized when the head has shown himself to be so unworthy.

By Mr. Robbins:

Q. I suppose that the officers and men have been greatly extorted from because of his complicity?

A. Yes, sir; and they have known it all the time. When buying any article, they have known that a portion of the money was going for improper purposes.

WASHINGTON, April 4, 1876.

George A. Custer recalled and further examined.

By the Chairman:

Q. Please explain why it is that you and other army officers have not heretofore given information with regard to

these abuses which have existed at posts under your command, and coming within your knowledge?

A. It is because of the existence, principally, of an order issued by the Secretary of War, March 15, 1873, that "no officer, either active or retired"—I am giving the words of the order—"shall directly or indirectly, without being called upon by proper authority, solicit, suggest or recommend action by members of Congress for or against military affairs. Second, all petitions to Congress by officers relative to subjects of a military character, will be forwarded through the General of the Army and the Secretary of War for their action and transmittal. Third, an officer visiting the seat of Government during a Congressional session will, upon his arrival register his name at the Adjutant General's Office as now required, and, in addition, address a letter to the Adjutant General of the army, reciting the purpose of, and time that will be embraced by, his visit, and the authority under which he is absent from his command or station. The purpose or object so recited will be the strict guide of the officer during his stay." By the terms of this order it will be seen that neither I nor any other officer could solicit, suggest, or recommend action to any Member of Congress upon any military subject, and that if I chose to visit the city I must record in the office of the Secretary of War what I came here for, and then must not speak or write upon any subject different from that which I had recorded at the office of the Secretary of War. That sealed the mouths and tied the hands of the officers of the army about as effectually as it could be done.

Q. Do you know whether this order was strictly enforced?

A. Yes, sir; officers have come here on matters entirely different, perfectly proper and legitimate, not relating to the transactions of the Secretary of War, and he has snubbed them and treated them in a very disrespectful manner, for the reason, as I imagine, that he wanted to discourage the visits of officers at Washington, where they would be likely to be brought in contact with Members of Congress. I am very glad to give this testimony, because I see some of the papers have expressed surprise that the officers of the army have not reported these matters.

Q. So, since 1873, no officer has felt himself permitted, no matter what his knowledge might be, to recommend any

measure, unless he informed the Secretary of War that he was going to do so?

A. No, sir; they felt this way, that if they should report anything against the Secretary of War, of course when it reached his hands, of course he would pigeon-hole it, and he would probably pigeon hole the officer at the same time; they gave respectability to the mode of transmittal by adding the name of the General of the Army. The main point was to get it through the Secretary of War. It was a mere form to send it the General of the Army, because any paper to go the Secretary of War must necessarily go through him.

Q. The Secretary of War is the final receptacle of all communications of every kind from the officers of the army?

A. Yes, sir.

Q. Is the order still in force?

A. Yes, sir.

Q. Prior to this order, were there any regulations of this character in the army?

A. None that I know of. An officer could write to his Member of Congress as freely as any other citizens. I do not know why because he is an officer of the army he cannot approach a Member of Congress that represents the district he hails from, the same as any other citizen can. There is a preamble to that order, which purports to explain the object, but it is all lumbering, because, instead of Members being annoyed by officers of the army, they are glad to meet them.

Q. Under that order, could you have replied to even your own Member of Congress, when he wrote to you for information?

A. No, sir; I should first send it to the Secretary of War. If you should write to me, and ask if I had any knowledge of a certain subject, I would have to send it to the Secretary of War, and trust to him to hand it to you.

Q. In giving your opinion even as to the government of the army and its internal economy, you would have had first submitted your communication, in reply to any inquiry of the kind, to the Secretary of War?

A. Yes, sir; before it could be transmitted to a Member of Congress.

Q. And so, under this order, it was impossible to have the army heard on any subject touching its interests?

A. Yes, sir; there has been no voice from the army since that order was issued.

Q. Would that order have bound the General of the Army himself?

A. Yes, sir.

Q. He therefore could have given no opinion upon any subject touching the army under his command?

A. Not except through the Secretary of War, unless a committee should summon him before them. If they called upon him in the ordinary way to state his views he should submit them through the Secretary of War.

Q. A disobedience of that order would have cost you your commission, would it not?

A. It would have been very apt to.

Q. How is it regarded by the army?

A. It is regarded by the army as a step to place the control of all information that officers might be in possession of, in the hands of the Secretary of War, so that nothing should get beyond him except that which he chose to transmit. And in connection with the recent developments it was about the most effectual safeguard that he could have thrown round his conduct to prevent exposure.

Q. If you had direct knowledge of malfeasance in office by him you could not, under this order, have divulged it?

A. No, sir, there was no way that I could divulge it except through the Secretary of War, and I have no idea that he would have ever transmitted any information that would have been to his prejudice.

Q. Had you ever heard of the communication which General Hazen sent to headquarters here with reference to this Fort Sill business?

A. I had heard that a communication had been sent but did not know that it was from Gen. Hazen.

Q. That was known in army circles years ago, was it not?

A. Yes, sir.

Q. Where has Gen. Hazen been stationed latterly?

A. He has been stationed at Fort Buford, in Dakota Territory, on the upper Missouri river, somewhere in the neighborhood of a thousand miles west of St. Paul.

Q. A highly civilized country?

A. Except the civilization that he takes with him, there is none whatever there.

Q. How long was he kept there?

A. He has been there several years. I do not know how long. I formerly served with General Hazen at Fort Sill. We were both there when the post was established; I remember when Evans first became trader there, and I imagine that it was about that time that General Hazen sent this communication, and then he was sent to Dakota.

Q. Is Fort Buford considered an eligible point at which to be stationed by officers of the army?

A. I have never heard of anybody applying for it.

Q. Do you know Lieutenant Pratt of the army?

A. No, sir.

Q. You don't know whether he was sent up there too?

A. I do not know, sir.

Q. General Hazen is now in Mexico on account of his health, I believe?

A. Yes, sir.

Q. Do you know what his affection is?

A. I do not; I only know that he is ill. I think his wounds trouble him.

Q. He is a meritorious officer, is he not?

A. Very. He has always rendered conspicuous services ever since he has been in the service. He is colonel of the Sixth Infantry and brevet major general.

Q. How many troops had he under his command at Fort Buford?

A. Six companies with his own regiment. I heard General Sherman, in speaking of him the other day, say that he considered him one of the most meritorious officers in the service. He rendered distinguished services during the war.

Q. He has married a daughter of Washington McLean, of the Cincinnati Inquirer?

A. Yes, sir; and she represents a good deal of the civilization that he takes with him when he goes to Fort Buford.

435 7 5 12
J. H. ...
INDIAN AFFAIRS.

SPEECH

OF

HON. JOHN A. LOGAN,

OF ILLINOIS,

IN THE

SENATE OF THE UNITED STATES,

JUNE 20, 1876.

WASHINGTON.

1876.

SPEECH
OF
HON. JOHN A. LOGAN.

The Senate having under consideration the amendment of the Committee on Appropriations, to strike from the Indian appropriation bill the section transferring the charge of Indian affairs from the Interior to the War Department—

Mr. LOGAN said:

Mr. PRESIDENT: This question is the one referred to by the Senator from Texas [Mr. MAXEY] a short time ago as the important question presented by this bill; and although I am satisfied that the Senate is not desirous at this time of hearing any extended argument in connection with this bill, yet I deem it my duty to give my reasons why the proposition as presented by the House should not be agreed to by the Senate.

I desire to call the attention of Senators to that which has transpired in reference to changes or attempted changes from the civil departments to the War Department. I have always, since I have had a voice in the Congress of the United States, protested against the civil department of the Government going into the hands of the Military Department. I believe that they are and ought to be entirely separate and distinct; their services are of an entirely different character, and their education leads them in entirely different lines.

I find that this winter an attempt was made not only to transfer the Indian Bureau to the War Department, and that was done upon the theory of economy, but also to transfer the Pension Bureau to the War Department, and following that would come the transfer of the Land Office to the War Department. This is merely the entering wedge for the destruction of what originally was called the Home Department, or Interior Department of this Government. In order to verify my statement so far, I have here a report made to the House of Representatives by a committee of that House not only in reference to transferring the Indian Bureau to the War Department, but also in favor of transferring the Pension Bureau to the War Department. That branch of the subject I will not discuss any further than to call the attention of the Senate to the fact. The conclusion of the report, made by Mr. JENKS, from the Committee on Invalid Pensions, is this:

It is suggested the duplicate labor performed by the finance division of the Pension Bureau and the pension agencies can be done by the Paymaster's Department of the Army with very little addition to its present force. The duplicate labors now performed by the War Department and the Surgeon-General's Office can be avoided, with all the correspondence pertaining to it, by the transfer of the Bureau of Pensions to the War Office, and greater efficiency, integrity, and intelligence can thereby be secured.

There is the attempt made by the House of Representatives this winter not only to transfer, as I said, the Indian Bureau but the

Pension Bureau to the War Department; and I have heard it suggested—I know it would follow also if this should be accomplished—to transfer the Land Office to the War Department, thereby giving the War Department in fact the administration of a great portion of the civil affairs of this country. Against that I enter my solemn protest. If I shall draw a line of economy even between the civil Department that has charge of the Indian affairs and the War Department which will not be very favorable to the War Department, in what I wish to say to the Senate in reference to the management of the affairs of the Indian Department, I now give notice to Senators who differ with me on this question, if they think I am in error in any statement that I make, it will not interfere with me one particle if they will stop me and ask me for the proof, for I have right here before me documentary evidence, commencing at the foundation of this Government down to the present time, in reference to the management of Indian affairs.

Sir, I feel compelled on behalf of the honor and good name of our Republic as a great civilizing and enlightening agency, on behalf of humanity and Christianity, to oppose the transfer of the Indian Bureau to the War Department with all the power and ability I possess. Did it involve only a question of preference between two Departments of our Government, as to which should exercise certain functions, I would not trouble the Senate with any remarks upon the subject, but content myself with simply casting my vote. Did it involve only a question of dollars and cents, I should feel far less solicitude in reference to the final result than I do.

But, sir, attempt as we may to reduce it simply to a question of economy, a thorough examination of the principles involved must show to every thinking mind that something of much greater importance to civilized humanity and enlightened nations is connected with the decision of Congress on this question.

It is true, sir, that in making laws in reference to the administration of the affairs of Government it is our duty always to consider the expense as one and an important item in making up our decision, yet it by no means follows that the plan involving the least expenditure in dollars and cents is the proper one to be selected; in fact, as a rule there are questions of still greater importance connected with all laws of a general character. In erecting our public buildings permanency and usefulness are of more importance than the saving of a few thousand dollars with the loss of these items. In providing means for the administration of our laws equity and justice are to be considered first. When our vote as a nation and the great principles of freedom were at stake, we did not stop to consider the cost in order to know how to cast our votes. If, therefore, it should appear upon a thorough examination of this subject that important principles in reference to civilization and the efficiency of our Government as a great agent in civilizing and enlightening mankind and elevating the standard of morality are involved, surely no one in this Senate will consent for a moment that these should be sacrificed in order to save a few thousand dollars. I am in favor of economy, and would be glad to see the eyes of our people opened to the folly of the extravagance that prevails in our midst; nay, more, sir, I believe it is the duty of our legislators and public officers to set the example of prudence and economy both in their public capacity and private life. But even placing this matter on the basis of dollars and cents, the result is not in favor of the passage of this act, as I shall attempt to show before I am through.

It has been stated that the opposers of this transfer, in their great anxiety to protect and civilize the Indians, have forgotten that the right and lives of our border settlers are also involved. I am fully aware, Mr. President, that these brave and hardy pioneers who have pressed onward to the borders of civilization have rights and interests equal to, and I may say superior to, those of the Indians, which it is our duty to protect and foster; and in opposing this act I conscientiously believe I am doing this more effectually than I would be in advocating it. This I propose to bring more fully to your notice before I conclude.

Other questions of more or less importance are also involved, for it is far more complicated as regards its connection with other subjects than we are disposed to believe until we have thoroughly studied it. But, sir, the great question raised by this proposition, and the one which, in my opinion, overtops all the rest, is this: Shall we as a nation cut short our work of civilization in reference to the Indians? Shall we by our action say to the world that we abandon all hope of elevating and fitting them for that standard in life the God who made them designed them to enjoy? Shall we confess our inability as a nation, notwithstanding the vast resources at our command, to civilize a few thousand degraded wards completely under our control, and thus condemn them to extinction? Shall we, as the representatives and legislators of the great Republic of the world, a Christian nation, while singing centennial anthems of praise, decide in the most solemn and official manner possible that the God to whom we ascribe all our glory and prosperity has created other peoples only for the purpose of destruction and extinction, and that we, as a nation, are the divinely appointed agency to execute the sentence of annihilation?

Mr. President, this may appear somewhat strong language to use in reference to an act which seemingly proposes only to transfer certain duties from one Department of Government to another; yet, sir, I firmly believe I do not exaggerate the importance of the questions involved, for such I am forced to believe will be the result if the principles contained are allowed to work out fully their legitimate effects.

I will therefore present my reasons for this opinion, and address myself first to the discussion of this point as the one of first and chief importance. If the facts and reasons adduced show that I am correct in this respect, then the matter is settled with every one who has any regard for our honor as a nation, and all secondary considerations sink into insignificance.

It is evident to every one who is at all acquainted with the history of our relations with the Indians that our contact with them must result in one of two things—their civilization or extinction. No one in his senses doubts this; even the most ultra advocate of this change now before us will admit this without a single dissenting "if." As all look forward with certainty to the extinction of the buffaloes now roaming over the great plains of the West, with equal certainty do they look forward to and prophesy the extinction of the Indians unless by some means they are civilized and localized. There is no middle ground, and it is impossible there should be. Civilized and savage life cannot exist together; the former must always overcome the latter by force or example. Even if civilized, they may ultimately be absorbed into the Caucasian race, and thus at last the distinction between the two be lost; but uncivilized, they must soon be swept from the stage of existence by the onward progress and inherent vitality of their white brethren.

This being admitted—and no one will attempt to deny it—any action on our part which indicates an abandonment of the attempt to civilize them is virtually saying to the world that we hand them over to their fate—extinction. The enlightened nations of earth and the humane portion of our own country can look upon such action on our part in no other light, and they will put no other construction upon it. The responsibility of the care, protection, and well-being of these unfortunate races is thrown upon us; no other nation, however willing they might be to do so, can or would be allowed to assume it. It is ours and cannot be shifted or avoided, and whether we desire it or not we must face this responsibility and will be held accountable by the enlightened world for the result. Why, sir, this responsibility was assumed at the time we obtained a foothold on this continent, not by action only, but was directly avowed in the early days of Plymouth Colony. Most of the early royal charters and patents issued for British North America professed, as one chief object in view, civilizing and Christianizing the Indians or infidels, as they were then termed; as for example that of James I to the Nova Scotia colony, (1621:) the preamble of the Pennsylvania charter; the first royal charter of the Massachusetts Bay colony, (1628.)

This you will find in Halkett's History of the Indians. I read from pages 233 and 240:

Almost all the early royal charters and patents issued for British North America professed, among other things, the object of converting the Indians. King James I, in the Nova Scotia patent, (1621,) declared, in reference to those countries "as are either inhabited or occupied by unbelievers, whom to convert to the Christian faith is a duty of great importance to the glory of God." In the preamble to the Pennsylvania charter, during a subsequent reign, it is also stated to be a principal object "to reduce the savage natives by just and gentle manners to the love of civil society and Christian religion."

So I might read further Halkett's work on Indians, which is the best authority in this country. In reference to every charter and every beginning in this country there was a provision that the Indians should be treated with for the purpose of civilizing and Christianizing them.

When we come to the annals of our present Government we find it repeated directly or indirectly under every administration, as I will show before I get through, both by the official expression and assurances of those in authority and by the laws relating to Indian affairs. By every one they were treated in a manner showing that civilization and Christianization were the intention of our Government.

Hear, for example, the words of Washington to the Cherokee delegation, which you will find in McKimney's Wrongs and Rights, volume 2, page 131:

I am highly satisfied with the confidence you repose in me and in the United States as your friends and protectors. We shall linked rejoice in being the instruments of the Great Master of breath to impart to you and to your whole nation all the happiness of which your situation will admit; to teach you to cultivate the earth and to raise your own bread as we do ours; to raise cattle; to teach your children such arts as shall be useful to them; and to lead you by degrees from one information to another in order to raise you to the same level as ourselves. I have made your minds to form a more perfect judgment of the great works of nature to lead you to a more exalted view of the Great Father of the universe. Rest, therefore, on the United States as your security against all injury.

That was the declaration of George Washington, the Father of our Country, to the Cherokee Nation, promising them the faith of this country to teach them to till the soil and to educate and teach them a religious life.

Mr. President, by examination you will find that this idea of civil-

izing and Christianizing the Indians is not of recent date. It is not of a few years past. It commenced with the first organization of this Government. It commenced with the first dawn of the liberty of this country, and has been followed down by every fair-minded and honest administration from the time of the organization of the Government to the present day.

Washington goes on further, and in order to show them his good faith in making this pledge he add at the conclusion:

I shall subscribe my name to this talk, which shall be written in your book in order to be preserved among you as a witness to our transaction together, and to which you may have recourse in the future.

Washington says "It shall be written; my name shall be signed to this talk; you shall have it as a guarantee for all time to come of the good faith of this Government."

The same principle was asserted by General Knox in 1769 while Secretary of War, and again and again by Presidents and Secretaries from that time to the present; by the ordinances and laws of our Government, directly or indirectly, from the ordinance of July 12, 1775, that of January 27, 1776, and the ninth article of the Confederation of 1777 down to this time; and, as President Polk in his message to Congress December 5, 1845, solemnly declares, this has always been the policy of the United States.

For the truth and verification of what I say I cite you to the Reports of Committees, second session Twenty-seventh Congress, 1841-'42, volume 4, No. 854, page 96, which I have here. Also, the Reports of Committees, first session Twenty-third Congress, 1833-'34, volume 4, No. 474, page 93. Also, Executive Document, second session Thirtieth Congress, 1848-'49, volume 1, page 919. I will not detain the Senate by reading extracts, but call their attention to my statement, which they will find verified in these documents.

We cannot therefore expect now, when we have grown strong and mighty and the Indians few and comparatively weak, to avoid this responsibility or shield ourselves by flimsy excuses from the censure of the enlightened world if we are derelict in our duty in this respect.

But, sir, I am met at the very threshold of this discussion with this question: "Does transferring the care of the Indians from the Interior to the War Department necessarily indicate or imply our abandonment of the attempt to civilize them?" The question is a pertinent one; in fact it presents fairly and squarely the chief point at issue; and in reply I answer most emphatically, yes. The heart of every Christian and philanthropist which has beaten high with the hope of redemption which seemed to be dawning on these poor wretches will answer yes with a sigh of grief and sorrow. And those of other countries, who have been watching with deep interest and solicitude the progress of the present system, will affirm the decision.

If nothing more could be urged than the very name of the Department to which this bill proposes to transfer their care, it alone would be sufficient to indicate at least our abandonment of the peace policy; and to counteract and remove this belief, if even incorrect, would require much explaining and time and tend to depress and check all private efforts to ameliorate the condition of this people. Therefore, unless the reasons for the change are urgent and very important, the step would be unwise even on this account alone. Add to this the fact that the Interior Department, where this care now resides, is felt to be and in fact is the peace Department, the domestic or Home Department as it was formerly usually termed, and the contrast becomes still stronger, the opinion and belief suggested by the name of the

former become intensified. And will not all be justified in believing, despite all our protestations to the contrary, that the transfer from a peace Department to a War Department signifies a change from a peace to a war policy? Sir, it is reasonable that such should be the effect on all minds.

Mr. MAXEY. Will the Senator allow me to interrupt him?

Mr. LOGAN. Certainly.

Mr. MAXEY. I wish to understand the Senator from Illinois. I understand his position is that a transfer of this Bureau from the Interior Department to the War Department would be a transfer from a peace policy to a war policy.

Mr. LOGAN. That is what I said.

Mr. MAXEY. I wanted to understand the position.

Mr. LOGAN. I said that would be so understood by everybody, and I think I will show it before I am through. That is the way I understand it.

But even the surface indications, if I may be allowed to use a mining term, do not stop here. Why change unless the present plan is a failure? Why abandon the system which is understood to be in part at least experimental, unless unsuccessful? Will not this action of necessity indicate to the world that the experiment has been a failure? It is impossible that it should do otherwise. This must be admitted. Will we be justified in abandoning after such a short time an experiment which at the onset was understood to require a generation to test it? No matter how much we may flatter ourselves, another system may be successful. The plan now in operation was long ago suggested by Christians, philanthropists, and statesmen, and hence is entitled to a fair and thorough trial even if it were but an experiment only, which it is far from being. But not one of those noble humanitarians expected that a few short years would suffice to test the plan. I might fill page after page with quotations in proof of this assertion; but this is unnecessary, as all who are acquainted with our dealings with the Indians and the efforts to civilize them are fully aware of the fact. An abandonment, therefore, of the system must be taken either as evidence of an entire want of capacity on our part to understand the difficulties we have to contend with and the principles embraced in the effort, or, as is far more likely, that we abandon the attempt to civilize them. Unless the enlightened portion of mankind look upon us as utterly void of statesmanship, they must look upon the passage of this act as a giving up of all hope of civilizing these unfortunate races and abandoning them to the sure work of decay and extinction. This would surely be a sad comment on the work of American statesmen in the hundredth year of our existence as a Christian nation. Nevertheless it would be just.

But, sir, the world may be wrong and Galileo right. Surface indications may not be a true index of what is hid beneath. Let us therefore probe the crust and see what lies below. In other words, let us see whether this action would in fact be an *abandonment* of the peace policy and of the hope of civilizing the Indians. To answer this point fully in all its bearings would require a volume instead of a single speech, hence we can only glance at some of the chief items embraced, and some of the most prominent facts bearing upon it. These are to be found, first, in the spirit of our institutions, as shown by the plan of our Government, its Constitution, laws, &c.; second, in the opinions of enlightened Christians, philanthropists, and statesmen, based upon a knowledge of the Indian character and of civilized and savage life; and, third, in the experience of the past in reference to the point in controversy.

As regards the first we may safely assume as granted that one great object of our present form of government was to ameliorate the condition of mankind by affording protection to life and liberty and ample opportunity for the pursuit of happiness; and this not to a selected few, but to all who come within the pale of our authority and under our protection. As I have already shown, the Indians are expressly included as proper subjects of this humane object; it having been avowed again and again by our authorities in treaties made with them and in our statutes that one chief object of our control over them is to elevate them to that standard where they can be admitted to share in the administration of government. War (although sometimes unavoidable) and all that pertains to war, as a rule, are inimical to freedom, happiness, and moral progress; and the restraining influence of military power (although sometimes necessary) is detrimental to the progress of civilization and to all that tends to elevate and ennoble man in a moral and intellectual point of view. Hence it has always been a leading principle in the administration of our Government to have as little recourse to military control and restraint as possible. And why? Because it has been felt, not only by our wisest statesmen and best men, but by the nation at large, that military control is a hindrance to civilization and enlightened progress. Our great *Maya* *Charter* of liberty has always been felt to be the right of civil authority to rule and control the military; or in other words, the subservency of military to civil authority. It is a principle lying at the very basis of our institutions that the military arm of the Government is to be used, so far as relates to internal affairs, only as an aid in executing civil authority. Nowhere in our fundamental laws or plan of organization does the idea once enter that military power shall be used as a primary means of administering justice and equity any more than it does that it should arrogate to itself legislative power. It follows, then, that it is contrary to the very spirit of our institutions to make use of the military arm as a primary means of civilizing the Indians and leading them up to the standard of citizenship. There is no more reason to assume that such an idea is embraced in the organization and fundamental laws of our Government than that emigrants who come to this country should be placed under its care until they have attained the rights of citizenship. The difficulties to be encountered in the one case may call for more frequent use of military power than the other, but this does not change the principle or justify or excuse the adoption of a different policy.

If the this be true—and I see not how it can be successfully refuted—then, sir, seeking to transfer a portion of the civil administration of the Government to the Military Department is contrary to the spirit of our institutions and the fundamental principles upon which our Republic is based.

It may be said that no one expects or desires by this transfer to check the efforts to civilize the Indians; that because the aid of military power is so often necessary, we may as well place the whole matter in the hands of that Department. Without agreeing to the latter part of this proposition, which I am far from doing, let us for the moment admit it. Will even this justify us in this transfer, when the spirit of our institutions and the fundamental principles of our Government cry out against such an act? Hear the words of a venerable Christian and philanthropist who on account of his probity and knowledge of Indian history and character was commissioned by our Government to examine into their condition and make suggestions in reference to their civilization. I refer to Professor Morse, of

Massachusetts, who made an examination in 1820, and in 1822 a report to the War Department, which I hold in my hand. On page 35 of his report Professor Morse says:

The work of educating and changing the manners and habits of nearly half a million Indians as they are now situated [1822] is acknowledged to be great, arduous, and appalling. My enthusiasm on this subject does not blind me to the difficulties and obstacles which will be to overcome. But these difficulties are not insurmountable. The labor required is usually proportioned to the magnitude of the good to be effected as its reward. But even such obstacles and such labor, formidable as they are, intimidate and paralyze not the heart and arm of the man of real courage in the cause of humanity.

I have not time to give copious extracts. You will find in this report, which is very elaborate, more information in reference to Indians than you can gather from almost any other source. It gives his travels for years among them and his association with them. This report was made to the Secretary of War at the special solicitation of the Department.

These were brave words from a brave and noble heart; words which to-day are echoed by thousands, yea, tens of thousands, of Christian and philanthropic hearts which are palpitating with fear lest Congress, by one rash act, shall blast all their hopes of elevating this outcast race, and thus in part erase the dark stain which blots the pages of our history.

I listen to the words of General Knox, first Secretary of War. You will find the quotation that I make from General Knox in Reports of Committees Twenty-seventh Congress, second session, 1841-42, No. 854, page 2. I have the book here. General Knox says:

That the civilization of the Indians would be an operation of complicated difficulty, that it would require the highest knowledge of the human character and a steady perseverance in a wise system for a series of years, cannot be doubted. But to deny that under a course of favorable circumstances it could be accomplished is to suppose the human character under the influence of such stubborn habits as to be incapable of melioration or change, a supposition entirely contradicted by the progress of society from the barbarous ages to its present degree of perfection.

Sir, the difficulties in our way, the expenses necessary to be incurred, form no excuse for violating the fundamental principles of our Republic. Why, sir, it was this spirit of obedience to civil authority that relegated to civil life a vast army of conquering heroes with a speed and quietude that amazed the nations of the Old World. And to-day, while it cherishes and looks with pride upon the brave officers and soldiers of our Army as they stand as the nation's guard upon our outposts and frontiers, yet it watches with jealous eye every attempt at encroachment by military upon civil authority.

A second class of evidence which goes to show that transferring the Indian Bureau to the War Department would be an abandonment of the peace policy and an end to all hope of civilizing these wild races is to be found in the opinions of enlightened Christians, philanthropists, and statesmen based upon a knowledge of Indian character and civilized and savage life. My time will permit me to give but a hasty glance at the voluminous testimony embraced in this division of the subject. And before introducing this it is proper to state that one additional link will be necessary in order to render it directly applicable to the point at issue, but as this can be better presented after this testimony is introduced than now, I will defer it to that point in my argument.

President Monroe, in his inaugural address in 1817, uses this language:

For the territory thus ceded by each tribe some reasonable equivalent should be granted to be voted in permanent funds for the support of the civil government

over them, and for the education of their children; for their instruction in the arts of husbandry and to provide sustenance for them until they can provide it for themselves. My earnest hope is that Congress will digest some plan founded on these principles, with such improvements as their wisdom may suggest, and carry it into effect as soon as it may be practicable.

President Monroe in his message at that time to the Congress of the United States laid down the very proposition that is to-day being carried out by the present Administration in administering the Indian affairs. It is well for Senators to remember that during the declarations made by these Presidents and Secretaries that I have quoted the Indian Department then was under the War Department, and it was with a desire that it should be changed from the War Department and placed upon a peace basis and a peace policy that the Presidents made these declarations for the last three-quarters of a century to the people of this country.

Washington's words to the Cherokee delegation already quoted, likewise those of Rev. Jedediah Morse, and General Knox, all agree in sentiment, looking to education, instruction in the arts of husbandry, and moral influences as the only means by which the Indians can be civilized. Mr. Halkett, an English gentleman, relative of Sir Alexander Selkirk, who traveled extensively among the Indians of British America and the United States and who had studied more thoroughly than any other man of his day all that had been said and done on this subject, after pointing out the causes of failure, gives it as his opinion that instruction in agriculture and industrial arts combined with education is the only way to accomplish this work. The same views are substantially given by Thomas L. McKinney, who was for some length of time Indian Commissioner under the War Department, and who has written some of our best works on Indian history.

But why select a few names out of the hundreds who have expressed similar views. President after President, Secretaries, Commissioners, and agents have endeavored to impress this upon the Government from the days of Washington to the present. Christian bodies and societies, especially the Moravians, who first put the plan in practice in our country, have urged the same thing. But, sir, the evidence on this point does not stop here for the Government in various Indian treaties and acts of Congress has directly or indirectly expressed the same view, as may be seen by reference to the treaties with the Creeks, August 7, 1790, and Cherokees, July 2, 1791, the acts of March 1, 1793, and March 30, 1802, and numerous acts and treaties from that time to the present. (Report of Committee, No. 474, first session Twenty-third Congress, volume 4, page 4, 1833-34.) We may therefore take for granted as admitted in reference to the Indians, as history shows to have been true with reference to other savage nations, that instruction in the arts of husbandry and education is the primary and indispensable agency in civilization.

It was perhaps unnecessary to produce any evidence on this point, but I have presented it briefly, as it affords, as I conceive, a conclusive argument why the Indian affairs should not be turned over to the War Department.

If the slow process of instructing them in the arts of husbandry and in educating them affords the only method of civilizing them, it is apparent that the primary object for which the Indian Bureau was established is wholly incompatible with the duty of the officer and soldier. Neither husbandry nor anything that appertains to it forms any part of their education, and if they become husbandmen and teachers they are no longer officers and soldiers except in name. If they

employ others to do this work, this of itself is an admission of their incapacity for the duties required and that they have been placed in wrong hands. Why, sir, if it is admitted that the Indians can be civilized only by the means mentioned—and no one will deny it—it seems to me there are no grounds for discussion as to where this Bureau properly belongs; and placing it under the War Department can signify nothing less than an abandonment of the peace policy and a giving up of all hope of civilizing these unfortunate beings. It will not do to say we do not intend this when our actions contradict our words. A nation is judged by its actions rather than by its words, and when we say a certain course only can result in civilizing them and follow another, it is rightly presumed we intend another result.

What does our past history teach us in reference to the capacity of the War Department to accomplish this work which we have always professed to be the object of our dealings with the Indians?

This Department has had the charge and care of Indian affairs from the organization of that Department, August 7, 1789, until 1849, when the Bureau was transferred to the Interior Department by the act establishing that Department.

If the arguments which are presented in favor of this transfer have any force in them, then in the fifty years that this Department had the chief or entire control, some reasonably adequate policy ought to have been presented and some decidedly marked progress in the solution of the great problem made, radical errors ought to have been ascertained and corrected and abuses prevented. I wish Senators to bear in mind that I am not now contending that the present system is by any means perfect or without serious defects or that there are not abuses which need correction; I am simply trying to show that the history of this Bureau under the War Department affords no hope of improvement by the transfer contemplated by this bill, but the contrary.

In 1820 Mr. Calhoun, then Secretary of War, in a communication to Henry Clay, Speaker of the House, says:

Although partial advances may be made under the present system to civilize the Indians, I am of the opinion that until there is a radical change in the system any efforts which may be made must fall short of complete success.

That was the declaration of the Secretary of War, Mr. Calhoun, made to the House of Representatives, and Senators will find it in the State Papers, first session Sixteenth Congress, volume 3, No. 46, page 4, which I have here. The discussion of that question showed clearly at that time that the War Department had never advanced one step; but the Indians, if I may use such an expression, were on the "downward grade" at that time.

Here, then, is an acknowledgment from the head of that Department that in thirty years no progress had been made and no adequate system adopted.

In an elaborate and very able report made by the House Committee on Indian Affairs, May 30, 1854, (Reports of Committees, first session Twenty-third Congress, volume 4, No. 474, page 1,) it is stated that "So manifestly defective and inadequate is our present system that an immediate revision seems to be imperiously demanded." And Congress appears to have thought so too, for at that session, in pursuance of the recommendation of the committee, the act of 1834 was passed, under which the Indian Bureau was transferred from the War Department in 1849, when the House or Interior Department as it is now called, was established upon the recommendation of Robert J. Walker, then Secretary of the Treasury.

In regard to the Indian Department, as it was then called, the committee say further:

The present organization of this Department is of doubtful origin and authority. Its administration is *expensive, inefficient, and irresponsible.*

That is the language of a committee of the House of Representatives in 1834 in reference to the management of Indian affairs under the War Department. They say it is "expensive, inefficient, and irresponsible." Fourteen years more, and growing worse instead of better, no effective system or practical laws suggested by the Department in charge. Had there been a Home Department in existence then, does any one suppose this Bureau would have remained long where it was? It was not removed, because there was no place for it to go to.

In 1841 a Committee on Retrenchment was ordered by the House; they submitted their report May 23, 1842, in which we find the following statement in reference to the Indian Bureau:

The evidence is submitted as to the general management and present condition of Indian affairs, and it requires but little comment. It exhibits an almost total want of method and punctuality, equally unjust and injurious to the Government and to the tribes to whom we have voluntarily assumed obligations which we are not at liberty to disregard. It will be seen that the accounts of millions of expenditures have been so loosely kept as scarcely to furnish a trace or explanation of large sums, and that others have been misapplied so as to impose serious losses on the Indians and heavy responsibilities on the Government; that in some books (the only record of these accounts) no entries have been made for a period of several years, and that where entries have been made they are so imperfect that the very clerks who kept them could not state an account from them. The whole system of accounts in this Department requires revision and radical reform. There has been great profligacy as to funds which should have been invested for the Indians, and the investments actually made have been in stocks of States, purchased in some instances above par, and now paid out by the Government as trustee at par, while they are worth only 25 or 30 cents on the dollar. The accounts in the Indian Bureau and in the Second Auditor's Office are very imperfect and are so kept as to facilitate the practice of irregularities with impunity. (Reports of Committees, second session Twenty-seventh Congress, 1841-42, volume 4, No. 471, page 26.)

And yet, Mr. President, we are urged now to turn this Bureau over to the War Department, in order that correct accounts may be kept and irregularities checked. We have now been following its history under this Department for fifty years, and still matters grow no better, but worse, if anything.

Now, when Senators are told "the War Department for economy," here is a report made as late as 1842 that tells you the accounts were so imperfectly kept, so loosely kept, that no reliable statement could be made from them; that the Government was liable to great losses; that the money of the Indians was invested in stocks of States at great loss. This was the management; and now we are asked to turn it over again to a Department from which it was taken because of their neglect, because of the loose manner of doing business, because of their manner of treating the Indians. We are asked as a civilized nation to take it back there. Mr. President, I ask have the Senate and House of Representatives of this country forgotten the history of Indian affairs in this country? Have they failed to examine the history of Indian affairs while it was under the War Department? Is it because they have forgotten it that they wish it to go back there again where ten times the amount of irresponsibility exists, according to every report and every history that is found to-day?

I have now been following the history of this Indian Bureau under the War Department for fifty years, and still matters grow no better, but worse all the time. I call the attention of the Senate to this fact:

Commence in 1789, when the Indians were placed under the War Department at its organization, follow the system for fifty years, and its history shows that it grew worse every day, instead of better. I defy contradiction.

Where, sir, in all these facts do we find any evidence of that rigid system and stern integrity for which this Department has been so much lauded in contrast with other Departments? As has already been said by some in this city, I will not say where, who advocated this side of the question, they want to turn it over to military men because they are honest. I am not here to assail the honesty of any man; but "I am sick and tired, and so is the country, of this eternal boast of the probrial integrity and honesty of Army officers over other citizens." They are men of false passions as ourselves; and, while we cheerfully concede that they are no poers in honesty, integrity, and ability in their respective calling, we are unwilling to admit that they as a class are better than other men or that they are endowed by nature with or have acquired by education more versatile talents than other people have.

Reference has been made to extortions and wrongs perpetrated upon the Indians under the present system. That there are errors which need correction I will not deny; but let us refer to some of the prices paid by the Indians for articles under the old régime.

I call the attention of the Senate to a report which I have here, and I have copied it from the papers accompanying the report of 1834, made to the Congress of the United States already referred to. I find that at Fort Leavenworth, within easy reach of the markets, guns which cost in Saint Louis \$7 were sold to the Indians for \$30 apiece; axes costing thirty-seven and a half cents were turned over to them for \$2 apiece. A double handful of salt—for that was the way they measured it then to the Indians—costing sixty-two cents a bushel, was turned over to the Indians for \$1. Five and six gallon kettles, costing twenty-five cents per pound, sold for \$12 apiece by the War Department to the Indians. On the navigable waters of the Upper Missouri a yard of stronding, costing \$1.50, sold for \$8; a blanket costing \$3 sold for \$10; calico costing sixteen cents per yard sold for \$1; powder costing thirty cents per pound sold for \$1.50; tobacco costing from five to seven cents sold for \$1; blue stronding costing eighty cents sold for \$9, &c.

If any gentleman disputes this, I have right here the sworn evidence the bills reported to a committee of Congress in 1834, showing these facts in the face of all the honesty that is attributed to the War Department. I defy any man to show me that such robbery has ever been perpetrated on Indians in this country as was perpetrated, according to this report of 1834, by the War Department on the Indians of this country. It was robbery, sir; it was not fraud; it was open, palpable robbery.

Mr. BOGY. Will the Senator permit me one question?

Mr. LOGAN. Certainly.

Mr. BOGY. I desire to know whether the Senator means to state that the Indian Department of the War Department paid for the goods at one price and that they were turned over by the Department to the Indians at another price?

Mr. LOGAN. I do. That is just what I say, that they were sold to the Indians at these prices while under the War Department.

Mr. BOGY. I cannot understand it.

Mr. LOGAN. I will explain.

Mr. BOGY. What is that report? Who made the report?

Mr. LOGAN. I will give the Senator the report, so that he will have no trouble about it. If it was not for taking up the time of the Senate I would read the whole thing. It is in the reports of committees for the second session of the Congress of 1841-42, volume I, number 471, page 29, a report made by a committee who were investigating this question. The Indian Bureau then was in the War Department, and the evidence before that committee shows that these prices were paid by the lists of purchasers under the War Department, and sold to the Indians at the prices I have given. That is the report.

I do not want to take up the time of the Senate by reading from books; but, as I said in the outset, every statement I make is backed by official documents, and I will give you the page, &c., so that there shall be no trouble in finding it, and I will give you the book when I am through. I think I have searched this question up from its beginning. I have been at it a good while, and I do not propose to misstate anything.

Mr. BOGY. I have no doubt of the correctness of the Senator's statement so far as he is concerned; but he should not misunderstand me; but there must be some misunderstanding somewhere, because it could not have been that the War Department obtained the goods at one price and turned them over to the Indians at another price, because the War Department at no time was authorized to trade and make a profit for the benefit of the War Department. There may have been some fraud. These may have been the prices of the Indian traders.

Mr. LOGAN. Let the Senator understand me. I do not say that the War Department turned them over for profit to the War Department. I am not saying that; but the War Department had control of the Indians; they belonged to the War Department; and if the officers of the Army had those goods bought at one price, and let them go to sutlers and traders, and allowed them to sell them at such an enormous advance, it was a fraud on the Indians. I do not care whether it was done by the Secretary of War, or by an officer, or anybody else.

Mr. BOGY. Those were the prices charged the Indians by the Indian traders.

Mr. LOGAN. Very well.

Mr. BOGY. Of course, I do not justify any such imposition, but there is a wide room and margin for explanation. I only wished it understood that these were the prices, not charged by the War Department, but charged by the Indian traders who were engaged in that business.

Mr. LOGAN. I understand that as well as the Senator. I do not care whether it was done by the Indian trader, or the Secretary of War, or whom. The War Department had the full and complete control of the whole thing. No matter whether they did it themselves or permitted it to be done by others, the responsibility is the same. I am speaking of the difference between the swindling of Indians then and the swindling of Indians now; and the man who says that Indians are defrauded to-day as they were under the War Department does not know anything about the history of the Indians of this country or their treatment.

I would ask, Mr. President, if anything under the present system has ever equalled such outrageous extortion as that to which I have called attention? It is true this was under the old trader system; but why had this not long before been corrected; why had not the War Department brought about a correction of these errors when the responsibility rested with it for the policy pursued?

But, sir, it may be claimed that the Department was not responsible for the system or agents appointed. If not, then for Heaven's sake and for the honor of our country let us place it where somebody will be responsible. If a Department in fifty years' time can bring forward no plan to correct such abuses and cure such defects, but waits and waits until outside pressure forces these things home upon Congress, it is certainly time to remodel the Department or remove the business to some other.

It may be said that improvements were introduced between that time and 1849. That is in a measure true, sir, but these improvements originated not so much from the recommendations of that Department as from external influences pressing home upon Congress these crying evils and this defective management. It may also be said that this argument, if worth anything, applies also to the present management. That there are evils which need correction, I admit. In fact the House Committee on Appropriations in their report of February 25, 1871, say:

The testimony shows irregularity, neglect, and incompetency, and in some instances a departure from the express provisions of law for the regulation of Indian expenditures and in the management of affairs in the Indian Department, but have not found evidence of fraud or corruption on the part of the Indian Commissioner.

This is true, sir, but what good would it do to another Department where it was even worse? But let us read a little further in the committee's report:

With much to criticise and condemn, arising partly from a vicious system inherited from the past and partly from errors of judgment in the construction of statutes passed.

So that it appears even the errors now pertaining to this Bureau are in part chargeable to a vicious system which originated while it was under the War Department.

I call attention to another thing. At this very session of Congress the House of Representatives organized a committee for the purpose of examining the Indian Bureau to find frauds and peculations and everything of the kind, and yet I ask Senators to point out in the report of that committee these frauds that are talked about before the country as having been proven. They find no such thing. You find irregularities as you will in any matter connected with Indian tribes or people far off, in transportation or something of that kind; but when you talk about wholesale frauds in the Indian Department as compared with the outrages when it was under the War Department, there is no comparison.

Another matter of experience bearing upon this point is the influence exerted by soldiers when placed in the vicinity of Indians in reference to morality, good order, and progress in civilization. Senators are doubtless aware that in 1875 a circular was issued by the board of Indian commissioners to the various agencies making inquiry on this point as well as others. The answers with few exceptions show that this influence is pernicious, and that wherever soldiers are brought in contact with the Indians the debauchery of the women and the demoralization of the men inevitably follow. But, sir, lest it be said that the judgment of these agents was warped by interest, let us look back to the time when this Bureau was under the War Department and see what was the testimony on this point then. In the report of the committee made in 1834, page 23, to which I have already alluded, they say that from the facts brought to their notice they "cannot forbear the expression of a decided opinion of the impolicy

of locating permanent military posts in the vicinity of Indian settlements."

The accompanying report of the three Indian commissioners is still stronger. They say, page 93 of the same report:

It has been found by sad experience that a large military force stationed at this

Speaking of a certain force there—

surrounded by Indian settlements, has a demoralizing and unhappy influence upon the Indians, and serves to counteract in a very great degree the benevolent efforts of the Government to improve their condition. It has been found impossible to restrain the intercourse between the soldiers and the Indians; and what must be the consequence of such intercourse of near one thousand men such as soldiers generally are can be easily imagined.

It cannot be said that these commissioners were influenced by any such motives as are attributed to those answering in 1875, yet they speak out in unreserved terms as to the demoralizing influence exerted by soldiers when placed in the vicinity of Indians. And the fact is, Mr. President, we all know this is true without appealing to this testimony. It is and must be the universal verdict of experience. It is unnecessary for me to take up the time of the Senate in giving the facts and reasons for this, for every Senator is familiar with them.

But, sir, there is a reason taught by experience why this transfer should not be made which, as I have said, overtops all others in importance, and that is that it means war—war, interminable war, or war until the Indians are extinct. The word comes to us again and again that the military forces have struck a blow here that will quiet a tribe for all time to come; that a lesson has been taught another which will not be forgotten, yet scarcely a year passes by until another blow and another lesson are deemed necessary. Look, sir, to the history of this Bureau under the War Department and tell me what you see there. Each alternate page is crimson with blood, while we search the record almost in vain for any signs of progress in civilization. Our libraries teem with histories of these wars, while a few short pages tell us all that was done to redeem these tribes from savage life; wars, sir, which to-day cause every American philanthropist to hang his head in shame for his country, as he well knows that by judicious management, patient and humane treatment, they might have been prevented.

Take, for example, the history of the Seminole or Florida war as written by Captain John T. Sprague. I will not take time to read it, but will give the facts as they will be found, and I will give you the pages, so that any Senator can examine my authorities and see whether I am correct or not. He was brevetted for services rendered during that conflict; he does not hesitate to admit it was brought on unnecessarily, and then proceeds to give us a volume of more than half a thousand pages of the bloody record. There is the history of the Seminole war, (exhibiting a book.) Not more than a thousand Indians existed as Seminoles, and it required half a thousand of pages in order to recount the scenes of bloodshed and murder that took place during that time. That war against a foe scarce a thousand strong cost the nation \$19,450,000, exclusive of the expenditures pertaining to the regular Army, which added made a total of \$50,000,000. It lasted for seven years. Sir, the policy adopted then, and which is ever that of military control, is easily given as the very commencement of this work of Sprague's. He says—

The liberty allowed them (the Indians) was to be circumscribed—

I desire you to listen to this. It shows what brought about the war—

The liberty allowed them (the Indians) was to be circumscribed, and they brought to know and to feel, too, that they were temporary occupants of the soil; and while inadvertently allowed to remain in any part of the territory, law, good order, and sobriety, and *subservience to the white* must prevail.

This, then, was carried out by the soldiery until their outrages upon them produced war. We know what the result was of their bloody war. Take the language of Drake, the historian, (book 4, page 131, chapter 15:—

Nobody could have been surprised that a war in Florida should break out if they were at all acquainted with the circumstances which caused it; nor could they have been much surprised that a hundred men in the midst of the Indian country should have been best and slain, leaving none to carry the tidings of such disaster. Our only surprise is that the work had not been done in a more savage manner, and that only a monument of ashes of the slain had not marked the place where they fell. These things astonish us, as the war itself.

Fifty million dollars spent, fourteen hundred and fifty-six lives from the Army alone, exclusive of the marines and citizens, sacrificed in a war for which there was no justification whatever. But what was the glory gained? Ah, sir, there is the point. There was glory in that war; and what was it? On page 551 of this volume you find this:

List of officers of the United States Army and Marine Corps upon whom have been conferred brevets for services in Florida, fifty-five.

That was the glory. A war lasting seven years, costing \$50,000,000, against a thousand poor Indians down in Florida, brought about by circumscribing their rights and teaching them that they were only temporary occupants of the soil until they undertook to defend themselves, and our glory was that fifty-five officers received brevets! Rather expensive brevets, I must confess, but they got them. This is one chapter in the history of the War Department in their control of Indian affairs. Would to God it was the only one of the kind!

There is another that relates to the Sacs and Foxes, another relating to the Creeks and Cherokees. And even since the Bureau has been under the Interior Department it is stated positively by the Commissioner in 1842, and so far as I have seen not refuted, "That almost all the Indian wars which have depleted the Treasury and desolated our frontiers ever since the Bureau was given to the Interior Department had their origin in the precipitated and ill-considered action of the military stationed in the Indian country." Read, sir, the record given, officially charging the Sioux war of 1852-'54, the Cheyenne wars of 1864 and 1867, the Sioux war of 1866, and others of scarcely less importance, to the imprudence and impatience of the military forces on the frontiers. And even now the war-cry is sounding around the Black Hills to protect our citizens in violating the provisions of a treaty that we have solemnly made with the Indians.

There is the war-whoop you hear to-day. On what justification? The Army marches to the Black Hills, marching there with bayonet and sword to destroy the Indian. For what purpose? For the purpose of making him behave himself! No, sir; but to protect violators of the law violating the very treaty that you in this Senate solemnly agreed to between the United States and the Sioux in reference to their peaceable possession of the Black Hills country. But we must have war. Officers will not be needed unless we have war. Doubtless ere long we shall receive news perhaps of some brilliant campaign and a splendid victory which will equal perhaps

the victories we have had in times gone by. Where does the blame lie? In the Army or in the Government?

There are some very curious things revealed by the records of military operations among the Indians. Take for example one or two of the tabulated statements copied into the report of the condition of the Indian tribes, made in 1867 by the joint special committee. The one on page 267 gives the lists and dates of stock taken by and from the Indians; and the number of officers, soldiers, etizens, and Indians killed and wounded during the year 1861 within the department of New Mexico. This table shows that on January 3 twenty mules were taken and one citizen killed and three wounded. On the 5th eleven cattle were taken. On the 6th of the same month fifty horses were taken from the Indians and forty Indians killed and thirty-five wounded; on the 11th another Indian killed; on the 12th six men shot down in deep, twenty-five horses and one mule taken from the Indians and three Indians killed. Such is the record in full of ten days of great exploits—a number of Indians killed, very few white men, a number of horses, a number of cattle, a number of sheep, all taken from the Indians. Referring to the summing up for the year we find 4,399 sheep, 26 horses, 154 mules, and 32 cattle taken by the Indians; taken from them, 12,284 sheep, 2,472 horses, 35 mules, 31 cattle, and 18 burros—a clear gain on the part of the Government, if it received the benefit of the overplus, of 2,034 sheep, 2,440 horses, and 18 burros against a loss of 119 mules and 1 cow.

That is the statement made by the report of that Indian raid. The Indians made a terrible raid on the soldiery that year, and there were about three hundred Indians killed, and only three white people, and I believe two of them were citizens. In the great war of that year, in which we lost three persons, we captured 12,000 head of cattle more than they did. What became of them I do not know. This shows that it was a profitable business to have the Indians all the time attacking the white people. The death record shows one officer, six men, and eighteen citizens on the one side killed, and three hundred and sixty-three Indians killed on the other. Beyond all doubt, Mr. President, this exhibits avarice and pluck on the part of the Army, but what shall we say in reference to it as a civilizing operation?

The matter of expense has been urged as one important reason why this Bureau should be transferred to the War Department. Although, as I have attempted to show, even if the arguments were sustained by the facts, this would not justify us in making the change; yet, sir, I do not believe the facts which really bear upon this point will justify us in believing the affairs will be administered more economically under that Department than under the Interior Department.

It is evident to every one who will examine the subject even superficially that a comparison of the expenses incurred in the administration of these affairs under the former with those under the latter afford no correct data by which to judge of this matter. The difference in the number of Indians under the care of the Government, the impossibility of arriving at the amount of war or Army expenses on this account, must necessarily vitiate all such general statistics to such an extent as to make them valueless in our attempt to arrive at a correct conclusion on this point. But even those, unrich as they are, do not favor the proposed change.

Even limiting the expenses to those directly chargeable to the Bureau of Indian Affairs and comparing them with the number of Indians under the care of this Bureau at the corresponding dates, the result is still in favor of the Interior Department. But, sir, this gives us no

clow to the expenses incurred in the unnecessary wars in which we have been involved by the imprudence and unadvised action of the military forces stationed among the Indians, or by the war policy which has so repeatedly been brought into play, both before and after the change in 1849, through military influence. We may add further, as an item showing the unreliability of such statistics, that until recently all estimates of the numbers of Indians in the various tribes were as a rule purely guess-work, and not the result of actual count.

Our estimates of the comparative expenses under the two Departments must therefore be made, not upon the figures derived from past history, but upon what is now known; not upon the unworthy statistics of the past, but upon the prices and costs of the present.

It is not supposed that Army officers and soldiers will cease their military functions and duties to become agents and employes, for this is presuming that there is now a surplus of these which might be better employed than at present, which is most emphatically denied by the military authorities whenever an attempt at reduction is made. It follows, then, that no reduction in the number of agents and employes could be made under the War Department which cannot as well be made under the Interior Department, if necessary. There is, sir, no escape from this conclusion. In this respect it is therefore clear no reduction in expense could be made after the change which cannot as well be made without it. In the next place, the cost paid for articles purchased by the Indian Department—I call the attention of my friend from Missouri to this table to show the difference in the cost price of purchases by the Army and by the Indian Bureau, inasmuch as he was a little surprised at my statement a short time ago. This table is taken from an official report:

Schedule showing the cost of beef supplies purchased by the War Department and Indian Office during the years 1874 and 1875 for military posts and Indian agencies at or near the same places.

Fiscal years.	Military posts and Indian agencies.	Army cost.		Indian cost.		Army cost.		Indian cost.	
		gross.		gross.		net.		net.	
1874	{ Fort Hall, Idaho.....	\$5 00		\$2 85		82 15		.....
1875	{	5 00		2 40		2 40		.....
1874	{ Fort Sully, Dakota, or Cheyenne	3 74		2 76½		97½		.....
1875	{ agency.....	3 74		2 80½		1 49½		.....
1874	{ Tularena, New Mexico, or South	4 27		4 48		304		.....
1875	{ Apache agency.....	4 27		4 48		304		.....
1874	{ Camp Verde, Arizona, or Verde	6 19½		5 00		1 19½		.....
1875	{ agency.....	4 86½		2 09		2 17½		.....
1874	{ Camp Bowie, Arizona, or Chiricahua	4 86½		2 09		2 17½		.....
1875	{ agency.....	4 86½		2 09		2 17½		.....
1874	{ Camp Apache, or Apache Agency.....	6 19½		5 00		1 19½		.....
1875	{	4 86½		2 09		2 17½		.....
1874	{ Fort Sill, or Kiowa and Cheyenne	22 70½		1 76		84½		.....
1875	{ agencies.....	22 70½		1 76		84½		.....
1874	{ Camp Robinson, or Red Cloud and	22 60		2 85		1 60		.....
1875	{ Spotted Tail agencies.....	22 60		2 46½		1 63½		.....
1874	{ Fort Randall, or Yanketon agency.....	4 12½		2 36		1 20		.....
1875	{	4 12½		2 46½		1 20		.....
1874	{ Camp Supply, Indian Territory.....	2 54		1 64		1 84		.....

Schedule showing the cost of flour supplies purchased by the War Department, &c.—Continued.

FLOUR.				
1874	{ Fort Sill, or Kiowa agency.....	6 17	4 29	1 88
1875	{	5 38	4 52	81
1874	{ Camp Robinson, or Red Cloud and	5 07½	4 40	95
1875	{ Spotted Tail agencies.....	5 07½	4 40	94
1874	{ Fort Randall, or Yanketon agency.....	3 24½	3 73	50½
1875	{	3 24½	3 73	50½
1874	{ Fort Wingate, or Navajo agency.....	5 55	(C)	.....
1875	{	5 38	7 35	1 97

CORN.				
1874	{ Omaha.....	69	71	59
		72	72	62

* Average. { None supplied. { No contract.

The excess is almost double all the way through in the cost of beef, in the cost of flour, in the cost of corn. Then if you go to transportation I have the contracts here that I can show in the matter of transportation where the difference is about the same. Where the Indian Bureau pays \$2 a hundred for transporting their goods the Army pays \$3.75, and that is the way it runs all through. When I speak of this I only do so to show that this talk of economy by placing the Bureau under the War Department is utterly without foundation in fact.

I have been speaking in reference to the difference in price for certain articles, and exhibiting a table showing the amount paid by the War Department and by the Indian Bureau. If that table is correct, how can this change bring about the reduction in expenses that it is claimed it will do? Sir, it is all a fallacy, and is made, I must believe, without thoroughly considering the matter or question of expense. While it is claimed that the Army officers are proverbially honest, it has always been admitted that all operations under military men are proverbially expensive. Add to this the expense of an exterminating war, which is almost sure to be the result if this change is made, and then you will be able to form a proper idea of what will be the effect of changing this Bureau. Why, sir, the military authorities will most assuredly understand that it indicates an abandonment of the peace policy, and that it means war; yes, sir, war to the hilt. And ere long report after report from Department officers will be pouring in asking more forces for this point and more troops for that, thereby making an increase of the Army necessary. It requires no prophet to foresee this, as it is a natural consequence attested by the history of the past. Do Senators desire such a result as this? If they do, all they have to do is to follow the House in transferring this Bureau to the War Department.

But why was this Bureau transferred from the War Department to the Interior Department? I ask Senators when I find perhaps determined to vote for this transfer merely for a change on the idea that they may make the country believe that it is for economy, when they come to argue this question, to tell me why this Bureau

was transferred from the War Department. It was there for fifty years. Why was it done? Was it done to benefit the Indians? Was it done to benefit the Army? Why was it done? It was done to benefit the Indians first, the officers and soldiers second, then to secure the Government against outrages. It was the result of long experience and thorough deliberation on the part of great statesmen, equally as great, I think, as we find at this day.

The act of August 7, 1879, establishing the War Department, places Indian affairs under that Department. As early as 1816 Mr. Crawford, then Secretary of War, suggests that Indian affairs ought to be removed from that Department, and states briefly his reasons therefor. (American State Papers, Indian Affairs, volume 2, page 27.) If I am not mistaken, though I have not the reference at hand, Mr. Monroe, in 1825, urges the same thing. And Mr. Webster, in a speech in 1843, says that Washington and Jefferson suggested a home department, which indicates at least that they held the same view as to where this Bureau ought to go. This view was repeatedly expressed during this part of our history, which I shall not take time to refer to, but I will delay for a moment to call attention to the last communication made by Mr. Robert J. Walker before retiring from his position as Secretary of the Treasury, not only to show his opinion on the point now before us, but also to contrast his broad and statesman-like views on the Indian questions with those held by some of his pretended followers at the present day.

In his communication he remarks:

The duties now performed by the Commissioner of Indian Affairs are most numerous and important, and *must be early increased* with the great number of tribes scattered over Texas, Oregon, New Mexico, and California, and with the interesting progress of so many of the tribes in Christianity, knowledge, and civilization. These duties do not necessarily appertain to war, but to peace and to our domestic relations with those tribes placed by the Constitution under the charge of the Government. This most important Bureau, then, should be detached from the War Department, with which it has no necessary connection. (Executive Document, second session Thirtieth Congress, volume 2, 1848-49, No. 2, page 36.)

The mind of Robert J. Walker, in 1849, a statesman and a Secretary of the Treasury, who is regarded as a model, was drawn to see what some people cannot now see, for I have heard it asked how it is that the expenses are greater now than they were fifteen years ago. If the Senator who asked that question will read the report of Robert J. Walker he will find in that report the reason. What is it? He says our relations across the Mississippi with the Indians of Texas, Arizona, New Mexico, and all this vast country that we had acquired the year before would, of course, increase our expenses. These Indians were brought in as this country was brought in by us, and he speaks of it, and says that this Bureau has no connection necessarily with the War Department, but with the peace Department, and therefore he recommends its immediate change. I will venture the assertion that you cannot find a report made by any statesman, by any man of eminence in this country outside of a military officer, that ever advocated the Bureau belonging to the War Department. If it can be found, I should like to see it, for I have searched in every history, in every report that I could find. I may have missed some; if I have, I hope somebody else will find it; but I fail to find that any statesman or man having charge of this Government as President or Secretary has ever recommended that this Bureau should belong to the War Department, but they have universally said it ought to be divorced or separated from the War Department, for the reason that it ought to be in the peace Department, if we intended civilization.

Mr. President, Mr. Walker did not expect the scope of Indian affairs to remain within its then even extended limits; he looked forward not only to an expansion in work, but also in expense, and in the great work of civilizing and Christianizing these unfortunate tribes. And I would to God that to-day Congress could be induced to look upon it as a great work, a work on which with proper organization and system, and with hearty interest, not only seven but ten millions might be judiciously expended annually and yet not increase our total expenditures by a single penny, but eventually stop war and bloodshed and redeem these wandering tribes from their savage state.

This recommendation of Mr. Walker, after able discussion in Congress, resulted in the formation of the Interior Department, and the transfer of the Bureau of Indian Affairs thereto. It cannot, therefore, be said that this transfer was accidental or hastily done without due deliberation; it was the result of long experience and much thought on the part of the ablest statesmen whose names adorn our political history.

Has subsequent experience served to change this view, so universal before the transfer? Far from it, sir; although affairs have not been administered with the prudence and fidelity which the people had a right to demand and expect; although much remains to be corrected, and the system is yet far from being perfect, the great mass of testimony speaks loudly against such transfer as is contemplated by the House of Representatives.

In 1866 a joint committee was appointed by Congress to inquire into the condition of the Indian tribes and their treatment by the civil and military authorities. This committee made their report January 26, 1867, through Senator Doolittle to the Senate of the United States. An examination of this report, which is voluminous, shows the committee did their work thoroughly and faithfully, and that this question of transfer was thoroughly considered. The conclusion they arrived at is in these words, Mr. Doolittle speaking for the committee as chairman:

Weighing the matter and all the arguments for and against the proposed change, your committee are of the unanimous opinion that the Indian Bureau should remain where it is.

Coming close upon the heels of a long and tedious internal war, this opinion is significant.

That has been the report of every committee that has ever been formed for that purpose until two, one of this last House and one other. In 1867, but six months after the report alluded to, Congress created a board of commissioners for the purpose of establishing peace with certain hostile Indians. This commission, composed of the Indian Commissioner, one Senator, two civilians, and four generals of the Army, made report to the President January 5, 1868, in which they express themselves in reference to this point as follows:

This brings us to consider the much-mooted question whether the Bureau should belong to the civil or military Department of the Government. To determine this *properly we must first know what is to be the future treatment of the Indians. If we intend to have war with them the Bureau should go to the Secretary of War. If we intend to have peace it should be in the civil Department. In our judgment such wars as we have commenced, and have raised some of the Government and people will agree with us we cannot now advise the change.*

They then proceed to give briefly their reasons for this opinion, which coincide, so far as they go, with those I have advanced.

Strange as it may seem, this same committee in October, 1868, after presenting their report, met in Chicago, Senator Henderson being ab-

sent, thus leaving the military element in the majority, and there they gave it as their opinion that this Bureau should at once be transferred to the War Department.

That proves what I said, that you cannot find a report of statesmen in this country that has not been against it, except where military men have had control; but the first report was a unanimous report.

Mr. ALLISON. Do I understand the Senator from Illinois to say that the military officers resolved so at Chicago?

Mr. LOGAN. Yes, sir.

Mr. ALLISON. If the Senator has the report, I should be glad to have him read it.

Mr. LOGAN. I have part of it.

Mr. ALLISON. I think there was a disagreement there among the military officers.

Mr. LOGAN. That makes no difference; their report never was made, and I only speak of what they resolved. The first report against the transfer was made to the President, and afterward in a meeting these men did vote in favor of a transfer to the War Department. That is so given in the history of the affair in the report of the commissioners.

If we suppose they understood and intended what they said in their first report, how are we to understand the second? Unless we look upon them as children, forgetting to-day what they said yesterday, we must believe, not that their views changed as to general principles, but as to purpose and policy, and the predominance of the military element unfolds the secret. They believed at the first meeting that the transfer meant war and useless war, but the convenient "now" inserted in the first report has passed, and the opportunity to express the military sentiment has come. And what is it Mr. President? War! war! war! We need no stronger evidence of the opinion so often expressed that the transfer means war; exterminating war.

Before closing let us examine a moment the results under the present arrangement, and see whether there are not some good fruits, notwithstanding the errors and defects with which it is chargeable.

Look at the summary of the statistics presented by the Commissioner of Indian Affairs for 1874, and found on page 112 of his report:

Number of Indians in the United States, exclusive of those in Alaska	275,003
Number of Indians who are mixed bloods	5,793
Number of white persons on Indian reservations	904
Employed	853
Additional members of families	740
Other white persons	229
Number of school buildings upon Indian reservations	345
Number of schools upon Indian reservations	10,958
Number of scholars: males, 5,397; females, 5,610	10,957
Number of teachers	4,068
Number of Indians who can read: adults, 1,292; youth, 2,616	3,908
Number of Indians who have learned to read during the year	861
Number of missionaries among the Indians	111
Amount contributed by religious societies: For education	\$11,234 15
For other purposes	\$25,530 04
Number of church buildings	128
Number of church members	21,296
Number of Indians who have learned trades during the year	81
Number of Indians who have received medical attendance	37,553
Number of births	2,129
Number of deaths	1,490
Number of Indians who wear citizens' dress	43,953

Number of Indians killed during the year:	
By members of same tribe	102
By hostile Indians	93
By United States soldiers	122
By citizens	55
Number of white persons killed by Indians	55
Number of white persons committing crimes against Indians	149
Number of white persons punished for crimes against Indians	19

First we have the exact number of Indians, which is one very important step in the work before us: three hundred and forty-five schools upon reservations and nearly eleven thousand scholars, or 4 per cent. of the entire Indian population attending these schools. Is there no sign of progress in this? Number of church members, 21,596, or nearly 8 per cent. of all that are within our bounds. Is there not encouragement in this? No matter if their ideas of the obligations of this relation are crude, the simple fact that nearly one-twelfth of the entire Indian population has entered into this relation ought certainly make us hesitate long before placing a check upon it. Another encouraging indication is the increase of births over deaths. Although the statistics on this point appear to be defective, nevertheless they show clearly a tendency to increase under the present policy, which is one of the best possible marks of success.

A Senator awhile ago spoke of the decrease of the Indians. I call his attention to the statistics to see whether he is correct or not. There is an increase of births over deaths; and until this policy was adopted there was no such thing as an increase among the Indians. They were decreasing all the time from wars among themselves and wars with the whites; but since this policy has been adopted, within the last eight years, there is an increase of births over deaths and destruction of life among the Indians, which is an encouraging sign.

Now let us turn to the table on page 131 of the same report, giving a summary of the industrial operations. From this we ascertain that the Indians cultivated during the year 317,313 acres of land, producing nearly 2,000,000 bushels of corn, over 350,000 bushels of wheat, 346,000 bushels of potatoes, 171,000 bushels of oats, besides turnips, onions, and other vegetables and things that were necessary to their subsistence. Is there no sign of civilization in this, Mr. President? When we see such progress as this, and learn there are nearly 41,000, or 16 per cent. of the entire number, engaged in agricultural pursuits, it is worse than neglect or carelessness on our part to let this good work be checked; it is dishonor to our nation and a criminal disregard of our duty and the obligations we owe to these untaxed races. Sir, when I look at these statistics, which seem to mark the dawn of a brighter day for these savage tribes, and in the light of past history contemplate the effect of the passage of this bill, I grow faint and sick at heart.

But how stands the work of civilization when the numbers are compared? Out of 275,000 there are 100,000 who, as the Commissioner informs us, may, without violence to the term, be called civilized; 52,000 who are in a semi-civilized state; while in the wilder tribes, among which the hostile members are to be found, there are less than 100,000. Thus we see that in fact about 36 per cent. of the entire number are already civilized and almost, if not quite, ready to be granted full rights of citizenship; 18 per cent. are being brought under the influence of civilization and are laying aside their wild and savage habits; while there are but 36 per cent. yet in their wild and savage state.

Will we dare say in the face of all these facts, unsatisfactory as many experiments have been when we look at the isolated efforts, that the

Indians cannot be civilized? Sir, it is too late in the day to express such an opinion as that, when the civilizing forces have already broken off from the mass more than half its bulk.

I tell Senators now there is no political reputation in this; there is no political clap-trap in proving to the country that you have no faith in civil authority. There is nothing to be gained by trying to convince the country that this must become a military despotism. The man who attempts to make himself a popular statesman by advocating military authority to rule over civil authority fails to alter the voice of the American people. Sir, I have been a soldier many years of my life, and I love the position of a soldier. I was fond of it when I belonged to the Army, but my belonging to the Army never changed my education so far as governmental affairs were concerned. I have learned from history, by my reading from my childhood, that the downfall of governments was by putting power in military hands. I have learned that republics must and can only be maintained by civil authority, not by military.

Put the Indian Department under the War Department, then the Pension Bureau next, then the Land Office next, then abolish the Interior Department next, and then you have got one-fourth of the Government under the charge of the military, and thus a long step taken toward the resumption of military authority in this country. Remember the voice of Clay and Webster, of the great statesmen in this land against the usurpations and inroads of military authority. It is a lesson that might well be learned now by men who are pluming themselves that they are becoming great statesmen. Sir, it is a lesson to be learned by the rising and future generations, for the time will never come that you will satisfy the honest people of this country by making them believe that they are not fit for civil Government. I warn now the party that undertakes this step in politics as well as in civilization and the advance of Christianity in this country; I warn the man of his future who does it, for there is not an honest Christian in this land, be he of whatever politics he may, who does not abhor the idea of military government. He believes in peaceful means in bringing about civilization, and is willing to undertake it, and do not deprive him of the opportunity.

Mr. President, I have not examined in order to see, but am inclined to believe there is one space in our Centennial display which remains unoccupied: that is an exhibit of the effect of our Indian policy during the past hundred years. There may be and doubtless are exhibits of Indian relics, implements, ornaments, trappings, &c., and there may be examples of their workmanship and evidences of their recent progress in the arts of industry; but, sir, I scarcely think we will find there a list of the tribes which once flourished on the soil we now occupy, but which have become extinct in consequence of our contact with them. I presume that we will not find exhibited there the crimson pages of our history, stained by the blood of unnecessary Indian wars. I presume, sir, we will find there no display of the treaties so solemnly made, which have been ruthlessly broken in our anxiety to obtain their lands and appropriate their possessions.

There may be antiquities to remind us of the days of William Penn, but we will scarcely find any tokens to call before us the war of the Everglades and the history of the Seminoles. Sir, I fear, nay, I should rather say I rejoice, to find this space is left vacant or filled with other things than that which belongs there properly.

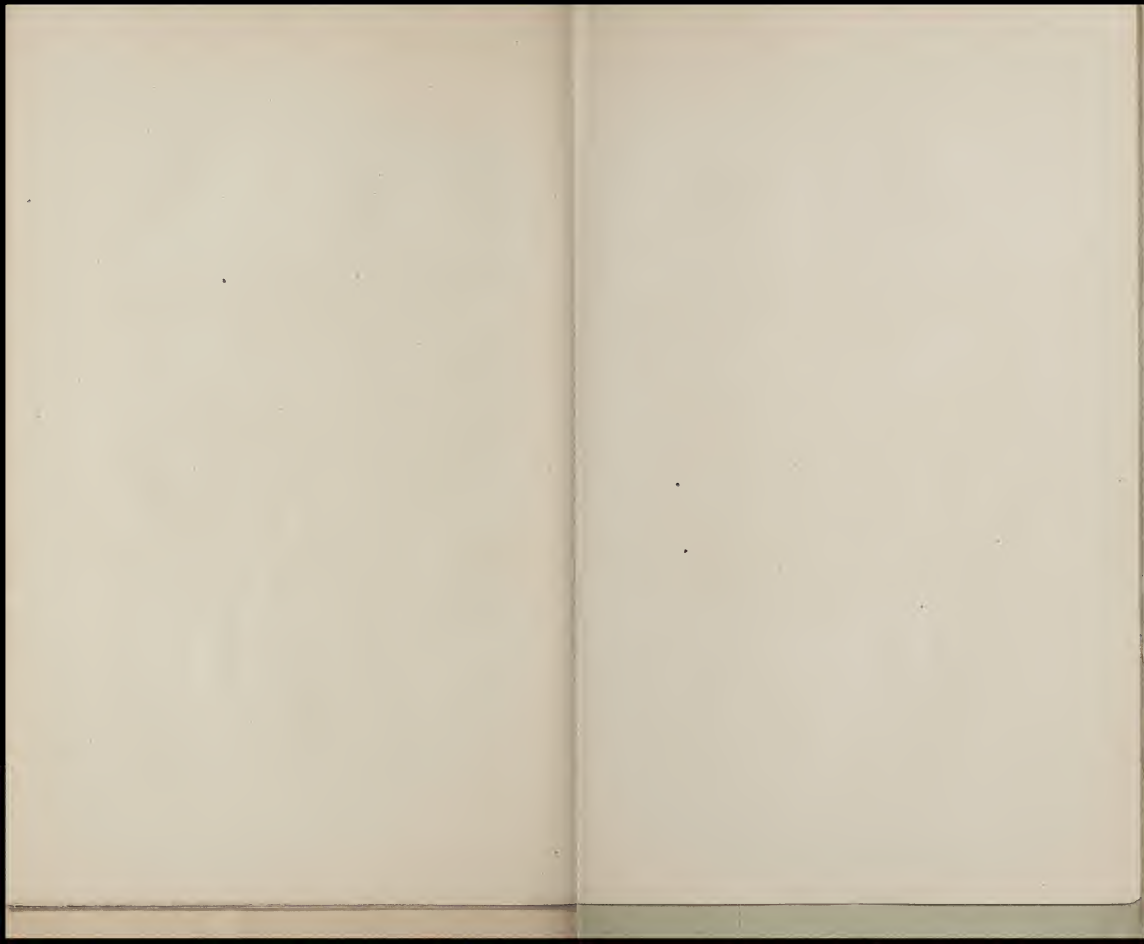
Had I this time and a list prepared I would present in array one after another the numerous tribes that once flourished over our broad

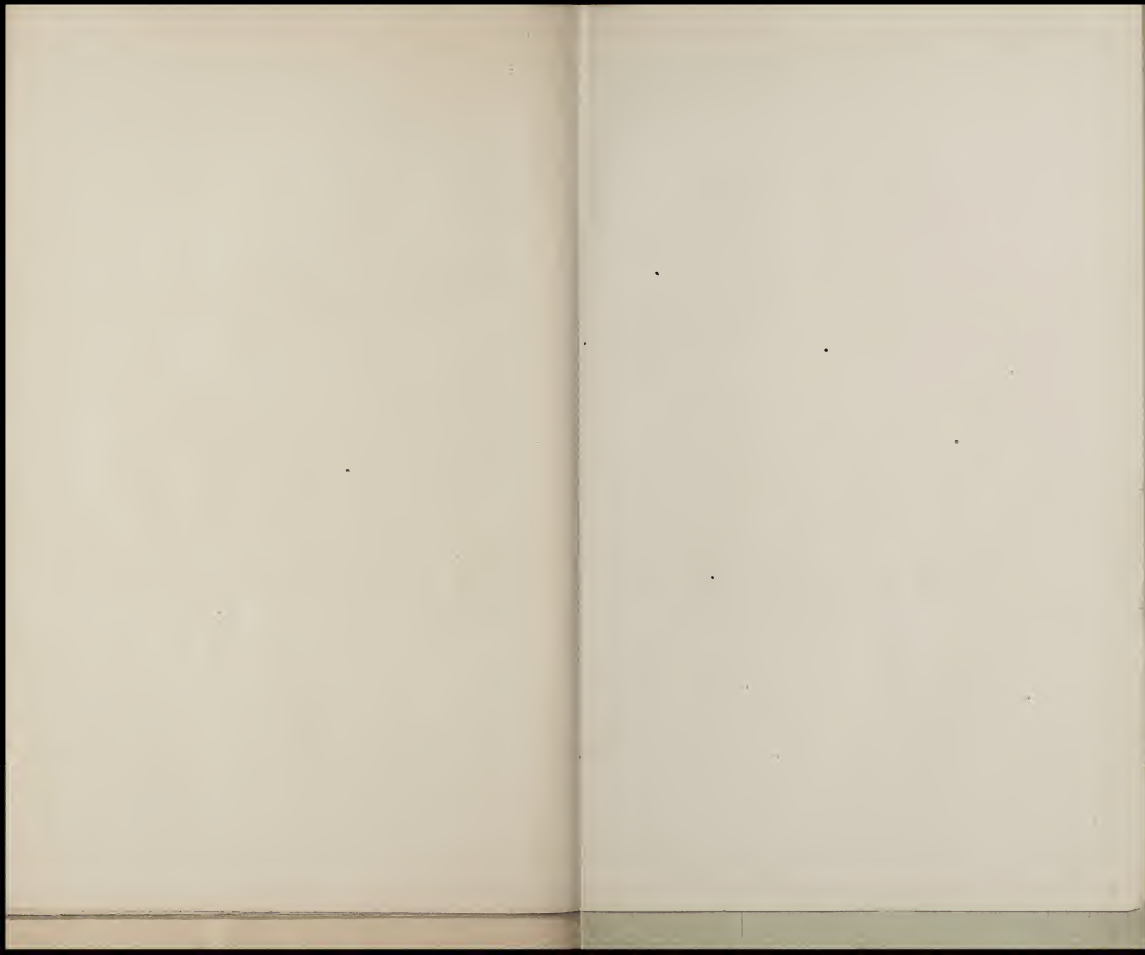
area but have silently passed into oblivion before the irresistible progress of civilization, with scarcely an effort on our part to save them from extinction. I would point you to a few miserable remnants of tribes, who once went terror through our borders when provoked by unnecessary war and unwise action on our part. That some have not deserved fate there is no doubt; that horrid cruelties have their history cannot be denied; but, sir, it was our mission to redeem them from savage life and elevate them in the scale of being for which they were formed. And as we now stand upon the one hundredth annual round of our national existence and look down the vista of receding years can we contemplate the picture without a single pang of remorse; can we say we have been faithful to the trust reposed in us?

Sir, the record is made, the history is written, and, although much of it is crimsoned with unnecessary blood, it must stand; it is beyond our power now to change it; but the present and the future are not beyond recall. Let us then in this matter vindicate our right to the name "Christian nation," and let no false ideas of economy, in order to gain political capital, prevent us from doing our duty, and whole duty, as a nation to these unfortunate and degraded people.

One single item in the Commissioner's last report, small as it is, sufficient in itself to justify our outlay on this Bureau; that is, that the births exceed the deaths. It indicates that the tendency to extinction has ceased, and that by wise measures and the civilizing process the forces of decay may be checked.

Why, sir, when I turn away from the sad picture of the past and look forward to what the future of this people may be if the policy now adopted is properly sustained and the system for accomplishing the work thoroughly and wisely revised and placed on a proper footing, I feel a deep anxiety to have my name recorded as one of the advocates and defenders of this policy. As I look forward and trace the history of the future, as the veil lifts year by year, and see one after another of the tribes gathered on suitable reservations and gradually, though slowly, learning the arts of husbandry, and the children gathered in the school-rooms and gradually acquiring an education; as I see the females, now beasts of burden, step by step acquiring their proper position in social life, it binds my heart to my country by a new tie. As I lengthen my gaze and look a little farther, I see waving fields of grain and happy homes where once roved the wild buffalo and wilder savages; the children of these once savage hordes have grown into manhood and womanhood; they have taken on them the habiliments of civilization; and now no longer is the wild war-whoop heard from ocean to ocean, no longer is there need for a military post, scout, or soldier on our borders of civilization, for we have none save the ocean bounds east, west, and national bounds north and south. I catch one more glance before the vision fades, and I see these tribes, redeemed and Christianized, admitted to all the rights of civilization and citizenship, and side by side in these halls sit their representatives, and I listen in admiration while that native eloquence, that educated and trained in all the arts of elocution and oratory, thrills with admiration the attentive audience. Sir, could I link my name with a measure which will result in this end, I will feel sure that it will live and endure while the rolls and records of time endure.





433.12 6

LAWS AND REGULATIONS

RELATING TO

TRADE WITH INDIAN TRIBES.

OFFICE OF INDIAN AFFAIRS,

NOVEMBER 1, 1883.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1883.

LAWS AND REGULATIONS

RELATING TO

TRADE WITH INDIAN TRIBES.

OFFICE OF INDIAN AFFAIRS,
NOVEMBER 1, 1883.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1883.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
November 1, 1883.

The following extracts from the laws of the United States governing trade and intercourse with the Indian tribes, and the rules and regulations adopted thereunder, are published for the information and guidance of all concerned.

H. PRICE, *Commissioner.*

LAWS RELATING TO TRADE WITH INDIAN TRIBES.

Extracts from the Revised Statutes of the United States.

SEC. 2078. No person employed in Indian affairs shall have any interest or concern in any trade with the Indians, except for, and on account of, the United States; and any person offending herein shall be liable to a penalty of five thousand dollars, and shall be removed from his office.

Persons employed in Indian affairs not to trade with the Indians.

30 June, 1834, c. 162, s. 14, v. 4, p. 738.

SEC. 2128. Any loyal person, a citizen of the United States, of good moral character, shall be permitted to trade with any Indian tribe, upon giving bond to the United States in the penal sum of not less than five nor more than ten thousand dollars, with at least two good sureties, to be approved by the superintendent of the district within which such person proposes to trade, or by the United States district judge or district attorney for the district in which the obligor resides, renewable each year, conditioned that such person will faithfully observe all laws and regulations made for the government of trade and intercourse with the Indian tribes, and in no respect violate the same.

Trading with Indians.

26 July, 1866, c. 268, s. 4, v. 14, p. 280.

SEC. 2133.* Any person other than an Indian who shall attempt to reside in the Indian country as a trader, or to introduce goods, or to trade therein without such license, shall forfeit all merchandise offered for sale to the Indians, or found in his possession, and shall moreover be liable to a penalty of five hundred dollars.

Penalty for trading without a license.

30 June, 1834, c. 161, s. 4, v. 4, p. 729.

SEC. 2135. Every person other than an Indian, who, within the Indian country, purchases or receives of any Indian, in

R. S., p. 375. Prohibited purchases and sales.

* An act to amend section 2133 was approved July 31, 1882, so that it now reads:

30 June, 1834, c. 161, s. 7, v. 4, p. 730.

"Any person other than an Indian of the full blood who shall attempt to reside in the Indian country, or on any Indian reservation, as a trader, or to introduce goods, or to trade therein, without such license, shall forfeit all merchandise offered for sale to the Indians or found in his possession, and shall moreover be liable to a penalty of five hundred dollars: *Provided*, That this section shall not apply to any person residing among or trading with the Choctaws, Cherokees, Chickasaws, Creeks, or Seminoles, commonly called the five civilized tribes, residing in said Indian country, and belonging to the Union Agency therein: *And provided further*, That no white person shall be employed as a clerk by any Indian trader, except such as trade with said five civilized tribes, unless first licensed so to do by the Commissioner of Indian Affairs under and in conformity to regulations to be established by the Secretary of the Interior."

the way of barter, trade, or pledge, a gun, trap, or other article commonly used in hunting, any instrument of husbandry, or cooking utensils of the kind commonly obtained by the Indians in their intercourse with the white people, or any article of clothing, except skins or furs, shall be liable to a penalty of fifty dollars.

ACT making appropriations for the current and contingent expenses of the Indian Department, &c., approved August 15, 1876.

SEC. 5. And hereafter the Commissioner of Indian Affairs shall have the sole power and authority to appoint traders to the Indian tribes, and to make such rules and regulations as he may deem just and proper, specifying the kind and quantity of goods and the prices at which such goods shall be sold to the Indians.

RULES AND REGULATIONS PREPARED IN CONFORMITY WITH THE PRECEDING PROVISION OF LAW AS CONTAINED IN SECTION 5 OF THE ACT OF AUGUST 15, 1876.

1st. Licenses to trade with the Indians will be granted only to citizens of the United States of unexceptionable character, and who are fit persons to be in the Indian country. They will not be granted to any person who may previously have had a license which was revoked, or the forfeiture of whose bond was decreed in consequence of the violation of any of the laws or regulations, or of being an improper person to be in the Indian country.

2d. Licenses will not permit the introduction or sale, in the Indian country, of any description of wines, beer, cider, intoxicating liquor, or compound composed in part of alcohol or whisky; any uniform-clothing, other than that of the United States, nor any medals, flags, arm-bands, or other ornaments of dress bearing the figures, emblems, or devices of any foreign power; nor will they authorize any trade with a tribe or tribes with which intercourse may have been prohibited by the President of the United States, or who are engaged in hostilities.

3d. Applications for licenses must be made in writing to the Commissioner of Indian Affairs, through the United States agent in charge of the Indians with whom the trade is desired, who will IMMEDIATELY forward the same, with the date of reception by him indorsed thereon, to the office of Indian Affairs. In case of the absence of the agent, or for other satisfactory cause, the application may be made direct to the Commissioner of Indian Affairs. Therein should be set forth the full name and residence of the applicant; and, if a firm, the style thereof and the full name of each member; the place where it is proposed to carry on the trade; the amount of capital to be employed, and the names of the agents, clerks, or other persons employed in connection therewith, giving the capacity in which each is to be employed. In forwarding the application the agent will submit his views in regard to the matter, with such recommendations as to the necessity for the trade and the fitness of the applicant or applicants to be in the Indian country, as he shall deem proper for the consideration of the Commissioner of Indian Affairs. Should the agent be unable for lack of suitable opportunity for investigation to express any opinion upon the merits of any application for license, he should not for that reason delay its transmission to the Commissioner of Indian Affairs, but should forward it at once, with a statement that his views will be submitted.

4th. Satisfactory testimonials of unexceptionable character and fitness to be in the Indian country must accompany the application. No license will be granted for a longer period than one year; but, at the end of

that time, if the Commissioner of Indian Affairs be satisfied that the trade has been conducted properly, and that the laws and regulations of the Department and the terms of the license were duly observed, a new license may be granted without the formality required by the first sentence of this paragraph, and the third sentence of paragraph third, a new bond being given as provided for in paragraph eight. The application for the renewal of a license must be made at least thirty days prior to the expiration of the existing license.

5th. If, after the license shall have been granted, it be desired to employ other persons than those named therein, either to fill vacancies or otherwise, their names, the capacity in which it is proposed to employ them, and satisfactory testimonials as to character, as required in the preceding paragraph, must first be furnished, and permission in writing obtained therefor. No trade will be permitted with any other tribe or tribes at any other place or places than as specified in the license.

6th. The bond required by law to be given by the person or persons licensed that they "will faithfully observe all laws and regulations made for the government of trade and intercourse with the Indian tribes and in no respect violate the same," will be according to the annexed form, and must be in the penal sum of \$10,000. All bonds offered must be executed by the persons licensed and at least two good sureties, whose pecuniary ability must be shown by a certificate of a United States judge, commissioner, or district attorney.

7th. The principals of all trading establishments will be held responsible for the conduct and acts of the persons in their employ in the Indian country; and an infraction of any of the terms or conditions of a license, or any of the laws or regulations, by such persons, will be considered good and sufficient cause for revoking the license, in the same manner as if committed by the principals themselves.

8th. Licenses will be revoked by the Commissioner of Indian Affairs whenever, in his opinion, the person or persons licensed, or any of those in his or their employ, "shall have transgressed any of the laws or regulations made for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit them to remain in the Indian country." Any infraction of the laws or regulations, or of any of the terms and conditions of a license, with all the circumstances connected therewith, and all improper conduct on the part of traders, or any person in their employ in the Indian country, must be reported without delay by the agent of the reservation within which the same shall have occurred.

9th. All licensed traders, before any goods shall be offered for sale, shall exhibit to the United States Indian agent the original invoices of all goods intended for sale, and also the bills of lading therefor, together with the price at which each article is to be sold, and it is the duty of agents to see that the prices are in all cases fair and reasonable.

10th. All invoices of purchase, for the replenishment of the trader's stock, as well as the bills of lading for the same, must be submitted to

the agent in the same manner and for the same purpose as is provided for the original purchase of stock in section 9.

11th. No Indian agent, or other person employed in the Indian service, shall have any interest, directly or indirectly, in the business of a licensed trader, and the agent must accompany all applications for a license or for the renewal of a license with his sworn statement that he has no interest, directly or indirectly, present or prospective, in the proposed business or the profits arising therefrom, nor any person for him, and that no arrangement for any benefit to himself or other person or persons on his behalf is in contemplation in case the license shall be granted.

12th. The sale of arms and ammunition to Indians, will be allowed only by special permit, issued in accordance with regulations adopted by the Department of the Interior, as provided in section 1 of the act of Congress making appropriations for the Indian service, approved February 14, 1873.

BOND.

KNOW ALL MEN BY THESE PRESENTS, That we,¹ ———, as principal, and ———, as sureties, are held and firmly bound unto the United States of America in the sum of ten thousand dollars, lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves and each of us our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this ——— day of ———, eighteen hundred and eighty ———.

The condition of this obligation is such, that whereas the above bounden ———, as principal, hath made application to the Commissioner of Indian Affairs for a license to trade with the ——— tribe of Indians of the following-described place within the boundaries of the country occupied by the said tribe, viz:

Now, if the said application shall be granted and the said license be issued, and if the said ———, so licensed, shall faithfully conform to and observe all the laws and regulations made, or which shall be made, for the government of trade and intercourse with the Indian tribes, and in no respect violate the same, and shall trade at the aforesaid place and no other, and shall in all respects act conformably with the license granted to ———, then this obligation to be void; else to remain in full force and virtue.

—————, [SEAL.]²
 —————, [SEAL.]
 —————, [SEAL.]
 —————, [SEAL.]

Signed and sealed in the presence of—

—————,
 The foregoing bond is approved.³

INSTRUCTIONS FOR PROPERLY EXECUTING THE ACCOMPANYING BOND.

First. The bond must be dated.

Second. There must be at least two sureties.

Third. The full name of the principal and of each of his sureties must be written out in full in the body of the bond and so signed to the bond.

Fourth. There must be a seal, of wax, or wafer, or other adhesive substance, attached to each signature. The printed word "seal" or a scroll is not sufficient.

Fifth. The signature of the principal and of each of the sureties must be made in the presence of two persons, who must sign their names as witnesses; and it must appear for whom each witness signs.

Sixth. The sufficiency of sureties must be certified by a United States district judge, attorney, or commissioner for the district in which the obligor resides.

Seventh. Sureties must not be bonded officers of the United States.

Care should be taken that NO ERASURES OR MUTILATIONS OF ANY KIND be made, and, if made, all such will be stated and certified before signing.

EXECUTIVE MANSION,

November 23, 1876.

A joint resolution adopted by Congress August 5, 1876, declares that:

Whereas it is ascertained that the hostile Indians of the Northwest are largely equipped with arms which require special metallic cartridges, and that such special ammunition is in large part supplied to such hostile Indians, directly or indirectly, through traders and others in the Indian country: Therefore,

Resolved by the Senate and House of Representatives in Congress assembled, That the President of the United States is hereby authorized and requested to take such measures as, in his judgment, may be necessary to prevent such metallic ammunition being conveyed to such hostile Indians, and is further authorized to declare the same contraband of war in such district of country as he may designate during the continuance of hostilities.

To carry into effect the above-cited resolution, the sale of fixed ammunition or metallic cartridges by any trader or other person in any district of the Indian country occupied by hostile Indians, or over which they roam, is hereby prohibited; and all such ammunition or cartridges introduced into such country by traders or other persons, and that are liable in any way or manner, directly or indirectly, to be received by such hostile Indians, shall be deemed contraband of war, seized by any military officer and confiscated; and the district of country to which this prohibition shall apply during the continuance of hostilities is hereby designated as that which embraces all Indian country, or country occupied by Indians, or subject to their visits, lying within the Territories of Montana, Dakota, and Wyoming, and the States of Nebraska and Colorado.

U. S. GRANT.

52276 53

THE ELEVENTH CENSUS

BY
HON. ROBERT P. PORTER
SUPERINTENDENT OF CENSUS

AN ADDRESS
DELIVERED BEFORE THE
AMERICAN STATISTICAL ASSOCIATION
BOSTON, OCT. 16, 1891

525.25

Compliments of

Robert P. Porter

THE ELEVENTH CENSUS

BY

HON. ROBERT P. PORTER

SUPERINTENDENT OF CENSUS

AN ADDRESS

DELIVERED BEFORE THE

AMERICAN STATISTICAL ASSOCIATION

BOSTON, OCT. 16, 1891

NEW YORK ENGRAVING AND PRINTING CO.

1891

THE ELEVENTH CENSUS

BY

HON. ROBERT P. PORTER

SUPERINTENDENT OF CENSUS

AN ADDRESS

DELIVERED BEFORE THE

AMERICAN STATISTICAL ASSOCIATION

BOSTON, OCT. 16, 1891

NEW YORK ENGRAVING AND PRINTING CO.

1891

THE ELEVENTH CENSUS.

AN ADDRESS.

Mr. President and Ladies and Gentlemen.

I have been invited by the American Statistical Association to prepare a paper upon the "organization, administration, and results of the present Census," and have been particularly cautioned by your honorable secretary, Mr. Dewey, not to dwell upon the "census law or past censuses," but to talk about the present census, and will endeavor to comply with this reasonable request after a few preliminary remarks on another theme.

The eleventh decennial enumeration of the people and wealth of the United States has been completed, and the nation has started on another decade of progress with the usual complaint that the increase should have been greater. The decades ending in 1890 and 1891 have been ominous ones for officials in charge of census work both at home and abroad: the Canadian Parliament trying to overthrow the government because the increase in population was only 11.66 per cent; Englishmen grumbling because the population fell a million short of anticipations; Frenchmen alarmed because the numerical strength of the Republic did not meet their expectations; and your own Superintendent pilloried by patriotic guessers because the actual count fell a couple of millions short of their estimates. Looking back to-night on the past, I see two years of the most stupendous work which taxed every iota of physical and

mental strength. Harassed on the one side by pressure for employment, and on the other by unreasoning and oftentimes ignorant and malicious criticism, importuned at all times by well-meaning specialists anxious to extend their particular inquiries without regard to other work, together with the labor and vexation that attend the placing and handling of sixty thousand persons (for that number took part in one form or another in the Eleventh Census), the Superintendent of the United States Census is likely to experience much hostility during the brief term of his decennial public appearance.

No one understands better than you, gentlemen, how easy it is to assault a great work like the census, but assault is one thing and criticism is another. In the first place, we had to gather together and drill a vast army of raw recruits. Of course some of them did bad work. How could it be otherwise? General Walker will tell you the same was true of the Tenth Census. A census without error is an impossibility. Especially is this true under the present system of overloaded schedules and temporary organization. When completed, the reports of the Eleventh Census will make not less than 25 quarto volumes of 1,000 pages each. The amount of detail covered by these volumes is stupendous: the history of 63,000,000 people (including Indians and Alaskans) separately treated; the corporate and other limits of 150,000 minor civil divisions properly adjusted; the financial condition of these same divisions correctly stated; the agricultural, manufacturing, and mining resources of the nation carefully analyzed, in every case the information obtained from the individual, corporation, or firm; and the amount of the mortgage debts of the people abstracted from the records and obtained direct from millions of people by correspondence. Millions of schedules were tallied twice for the rough count alone. One handling of the population schedules for the purpose of punching the holes chronicle over one thousand million facts. After this, the 63,000,000 cards with their thousand million statements must each pass through the tabulating machine five times. These are but a few main

features of the census work. Would it be surprising, therefore, if people did find a few errors in the census with microscopes? If the same test of fault-finding and carping over minor errors, interviewing and falsifying discharged clerks, and twisting the facts generally, that has been applied to the Eleventh Census, were applied to the *Encyclopædia Britannica*, or Appleton's *Encyclopædia*, untold complaints could be lodged. And why? Because no statistics or honest statements of facts sufficiently simple to be exact for the entire land will ever be sufficient for the wants of local boomers of population, manufactures, mineral resources, or the heralds of our corn crops.

Up to the present time the work of the Census Bureau has been repeatedly attacked but not criticised. These attacks have generally come from newspapers in communities where the population did not come up to expectation; where recounts were asked for and refused on good grounds, or where recounts were forced upon the people in spite of protest. Then there are all kinds of boomers who attack the census to justify their own ridiculous estimates: the land boomer, who wants to sell real estate, thinks the population too small; the geological boomer, who wants to get a big appropriation from the State Legislature, inflates the value and output of the stone quarries and coal mines of his state; persons interested in schools and institutions for special classes are quite sure that we have not enumerated all the blind, the insane, the deaf and dumb, etc., because their estimates are put out of joint. The health "boomer" in our large cities usually ignores the census altogether. This was so in 1870 and 1880 in many cities. They calmly add fifty or a hundred thousand to the census returns, thus keeping down death rates, and let the people feast on the luscious falsehood rather than offend them by the bitter truth. So you see all the boomers are as a rule against the census.

It is not my intention to defend the census. There is no necessity for doing so. Most of you have received the preliminary publications of this Bureau, (a) and they are fair samples of what is being

(a) A list of bulletins already printed will be found in the Appendix.

accomplished. The printing of what will comprise the first four or five hundred pages of the population volume is about completed and will be ready before Congress meets. Four final volumes relating to special inquiries (mines and mining; wealth, debt and taxation; transportation, and Indians), are in the hands of the Government Printer, and the greater part of the special work will be finished this year. Thus in a short time the Eleventh Census will vindicate itself. The more criticism, if it be honest and just, the better the census. Where there is public apathy you are far more likely to find poor work through the indifference of subordinates than in localities awake to the importance of the census and jealously watching its results. So far as the Eleventh Census is concerned, I am satisfied that every line of every bulletin has been subjected to the closest microscopic criticism, and these examinations have not always been conducted in a spirit of fairness.

The preliminary bulletin was used to great advantage ten years ago, but a good printing office established at the time of the formation of the Census Bureau has enabled us to make still greater use of this means of speedily reaching the public. Bulletins have been published or are at present in type giving the population of every State and Territory of the United States by minor civil divisions. This work is really final, though a few minor errors may be discovered before the population volume is finally printed. The aggregate population announced November 26, 1890, has not been changed. In quantity we have published up to date about the same amount of population returns as the Tenth Census, though not exactly in the same shape. On special subjects we are considerably ahead of 1880, the total number of pages of bulletins published being 2,378 for the Eleventh Census as against 196 for the previous census. Profiting by the experience of General Walker, I secured a special appropriation for the printing of the preliminary work. A large proportion of the work has been done in the Census Printing Office. Of course minor errors have been found here and there in the enormous amount of special work, but

only one bulletin has been withdrawn from circulation. These reports will be strengthened in every possible way in the final volumes, but the result thus far speaks for itself and does great credit to the experts and special agents who have labored industriously, conscientiously and with ability to make the census a success. Of the thirty experts and chiefs on whom I have leaned heaviest, at least twenty-three held similar or prominent positions in the Tenth Census. These names will be familiar to your illustrious president, and they are assurance of good work—a list strong enough to discredit malicious attacks and irresponsible criticism: John S. Billings, Henry Gannett, S. N. D. North, James H. Wardle, Frederick H. Wines, Frank R. Williams, James H. Blodgett, J. C. Stoddard, William A. King, John D. Leland, Joseph D. Weeks, Henry Bower, George S. Boudinot, A. E. Shuman, Orlando C. Ketcham, W. H. Olcott, Ivan Petroff, Peter T. Wood, Charles A. Jenney, Harry Tiffany, William C. Day, Charles E. Buell, and T. C. Purdy. Among the new strength brought to the work are found the names of A. F. Childs, William C. Hunt, John Hyde, Mortimer Whitehead, Henry C. Adams, George K. Holmes, John S. Lord, Edward Stanwood, J. K. Upton, Henry K. Carroll, David T. Day, Thomas Donaldson, Henry T. Cook, Thomas N. Conrad, Frederick H. Newell, J. H. Hale, George A. Priest, Thomas C. McMillan, Allen R. Foote, George W. Graeff, William M. Sweet, Byron Rose, John Birkinbine, Richard P. Rothwell, Charles Kirchhoff, James B. Randol, R. L. Packard, John H. Jones, George F. Kunz, Lyman J. Childs, A. C. Peale, E. W. Parker, Burt Foster, Charles H. Cooley, Thomas J. Vivian, Charles F. Pidgin, and Howard Sutherland, every one of whom has reason to feel as proud of the record made in the Eleventh Census as the others do of their records in both the Tenth and Eleventh.

There is not a failure in all this list of experts and specialists; not an inquiry that will have to be abandoned. I would be the last person to maintain that the census in all its branches is absolutely accurate, and you would be the last persons to believe such a statement.

It is true, however, that after making due allowance for the imperfections of the laws, the numerous inquiries dumped into the Census Office, and the magnitude of the work, results have been obtained decidedly in advance of any preceding census. It is true that owing to improved methods of tabulation we shall be able to secure results, especially in the population division, which could not have been obtained in 1880 without the expenditure of an amount of money far in excess of the appropriation. Comparisons, therefore, that may be made between the Tenth and Eleventh Censuses must not be regarded as criticisms (for the Tenth Census was a splendid piece of work), but merely as showing what has been accomplished by a careful study of General Walker's admirable plans, strengthened by new and better methods of tabulation, restricted as to the study of the latent resources of the country and the technology of industry, and by such improvements as experience in the Tenth Census may have suggested. The endeavor has been to make the Eleventh a purely statistical census, dealing only with information called for by law and although the new investigations added by Congress will make it nearly as bulky as the Tenth Census, the work has been held rigidly within the scope determined upon at the outset, and the plans originally formed have been substantially carried out. We have only been dealing with developed industries. Thus, in the matter of mineral resources, the work of the office was directed to finding the product from existing mines, leaving to the National Geological Survey and the State Geological Surveys the development of the extent of existing coal fields, of iron deposits, etc. Similarly in the matter of timber resources, the extent and value of standing timber being a subject under examination by the Division of Forestry of the Department of Agriculture was not taken by the Census, but the work in this Bureau was confined to the lumber product and its use in manufactures.

The study of the methods in use in the various branches of art and industry in this plan was not considered a part properly of the census inquiries, and was not touched upon. Similarly the study

of soils, and incidentally the surface geology of the country, although of the utmost value of themselves, and especially in their application to agriculture, was not considered as properly falling within the scope of the Census.

With these general ideas in view, the following plan for the Eleventh Census was mapped out, and has been adhered to throughout:

- I. POPULATION.—Characteristics, conditions, distribution, and parentage. Occupations.
- II. VITAL AND SOCIAL STATISTICS.—Mortality and vital statistics. Social statistics. Statistics of special classes. Pauperism and crime.
- III. EDUCATION AND CHURCH STATISTICS.—Education and illiteracy. Religious bodies in the United States.
- IV. VALUATION, TAXATION, PUBLIC EXPENDITURES AND INDEBTEDNESS.—Valuation and taxation. Receipts and expenditures. Indebtedness.
- V. FARMS, HOMES AND MORTGAGES.—Recorded indebtedness. Ownership of farms and homes and indebtedness thereon.
- VI. AGRICULTURE.—Irrigation. Tobacco. Farms, cereals, grass lands and forage crops. The fibers, forestry, and sugar. Live stock on farms and dairy products. Wool and miscellaneous. Horticulture, including truck farming, floriculture, seed farming, nurseries, and tropic and semitropic fruits. Viticulture. Live stock on ranges. Live stock not on farms.
- VII. MANUFACTURES.—General statistics of manufactures. Statistics of specified industries. Manufactures in cities. Lumber and saw mills, timber products. Slaughtering and meat packing. Chemical manufactures and salt. Clay and pottery products. Coke and glass. Cotton manufactures. Dyeing and finishing of textiles. Electrical industries. Manufactured gas. Iron and steel. Printing, publishing, and periodical press. Wool manufactures, including woolen goods, worsteds, felt goods, carpets other than rag, wool

hats, hosiery, and knit goods. Shipbuilding. Silk and silk goods. Agricultural implements. Paper mills. Boots and shoes. Leather, tanned and curried. Brick yards. Flour and grist mills. Cheese, butter, and condensed milk factories. Carriages and wagons. Leather, patent and enameled.

VIII. MINES AND MINING.—Mineral industries in the United States: Iron ore. Gold and silver. Copper, lead and zinc. Quicksilver. Manganese, Petroleum, and natural gas. Aluminum. Coal. Stone. Precious stones. Mica. Mineral waters. Minor minerals.

IX. FISH AND FISHERIES.—Statistics of fisheries by geographical divisions. Statistics of fisheries by name. Scientific and popular names of fishes, with their geographical distribution. Illustrations of the principal food fishes of the United States. Condensed description of fish by species. Statistical summary for each species for the United States. Directory of principal firms and corporations engaged in the fishing industry of the United States.

X. TRANSPORTATION.—Railroads. Statistics for the year ended June 30, 1890. Statistics for ten years ended in 1889. Lake, ocean and river transportation. Canals. Transportation on the Pacific coast. Express business. Street railways.

XI. INSURANCE.—Fire, ocean marine, inland navigation and transportation, and tornado insurance business. Life insurance, showing the business of level premium, assessment, and co-operative companies. Miscellaneous insurance, including the business of accident, burglary and theft guarantee, hail, live stock, plate glass, and real estate title guarantee, steam boiler, surety, and wind storm insurance companies. Fraternal and other beneficiary associations.

XII. INDIANS.—Report and statistics of the condition of Indians living within the jurisdiction of the United States, 1890, taxed and untaxed.

XIII. ALASKA.—Population and resources of Alaska.

XIV. VETERANS OF THE CIVIL WAR.—(Seven volumes of 1,000 pages each; publication not yet authorized.)

XV. STATISTICAL ATLAS.—(Publication not yet authorized.)

While, as I have said, the Eleventh Census will be purely a statistical one, and in this respect has been condensed, in certain other directions the scope of the census was enlarged by several acts of Congress. Prominent among the additional matters touched upon is the ownership of homes and farms, and the amount of mortgages secured by real estate, which were authorized by special act of Congress and special appropriations made therefor. Certain questions were added to the population schedules which had never before appeared in a national census, such as the number of children born and number of these living at date of enumeration, questions relating to aliens and naturalization, and ability to speak the English language. The form of the schedule was changed, and for the first time a family schedule was used as a prior schedule to a considerable extent, especially in our large cities. Its use as a prior schedule was carried as far as seemed to be safe and economical. To what extent the prior schedule aided the enumerators in their work I am unable to say, but my impression is that in places where it was used intelligently and methodically it facilitated the work and increased the degree of accuracy. Of course a family schedule means about 20,000,000 separate schedules, and in 1900 will be about 25,000,000, but with mechanical tabulation and ample accommodations they are easily handled until the punching is completed, and then the punched card takes the place of the schedule. The punching was completed in six months, at the rate of from ten to fifteen million cards per month. This finished, we are now running the cards through the machines for the compendium tally.

By the use of electric tabulating machines it has become possible in the present census, for the first time in the history of statistical work, to aggregate from the schedules all the information which

appears in any way desirable. Heretofore the amount of such information which could be evolved from the schedules had been limited, especially in the degree of complexity of the tables. It had been possible to obtain related statistics in tabular form only to a limited extent, but with the machine the most complicated tables can be produced at no more expense than the simpler ones. To illustrate this, I need only call attention to the first handling of the cards by the machines after they had been punched, by which we obtain seventy possible combinations of facts as regards general population, six items relating to naturalization for foreign white and foreign colored, seven details as to color for the native and foreign colored, and six items as to the ownership of homes and farms, which concerns all householders.

The first time of passing the cards through the machine was naturally the most difficult. The clerks were mostly beginners, the error cards rejected by the machines had to be corrected, and the minor civil divisions adjusted. The average number of cards per day per clerk will range from 7,000 to 8,000 the first time through, and not less than 10,000 per machine for subsequent counts. One hundred machines with one hundred clerks are now tabulating one million cards per day. With sixty or seventy possible combinations at each handling, four or five times through the machines will about exhaust the information on the schedules.

From the first handling of these cards we obtain for each enumeration district a primary classification of the population according to native white of native parentage, native white of foreign parentage, foreign white, native colored, and foreign colored. In 1880 no distinction was made for native white as to those of native or foreign parentage. Each of the primary classifications just noted for 1890 is in turn subdivided according to sex and by the following age periods: less than 1 year; 1 to 4 years; 5 to 9 years; 10 to 17 years; 18 to 20 years; 21 to 44 years, 45 years and over. For all adult males of foreign birth a classification is also made as regards the number who have been naturalized, have taken

out naturalization papers, or are aliens, together with a separate classification as to the number of aliens who cannot speak the English language. In the same way for the native and foreign colored a separate classification is made as regards the number of blacks, mulattoes, quadroons, octoroons, Chinese, Japanese, and Indians. For all householders, also, a separate classification is made as regards the number who hire or own their homes or farms, and if owned, the number of homes or farms that are free or mortgaged. From the results of this first or preliminary count we shall be able to show by states, counties, cities, wards of cities, and for every municipal corporation in the United States for which a separate return of population was made by the Census enumerator, not only the simple statements as to the number of males and females, the number of native born and foreign born, the number of whites, negroes of pure or mixed blood, Chinese, Japanese, and civilized Indians, but all the combinations of facts as regards sex, color, and general nativity for each of the principal divisions of the population as regards age, comprehending children less than 1 year of age; children under 5 years of age, of special importance for purposes of vital statistics; the number of children between 5 and 17 years of age, or the school age; the number of males between the ages of 18 and 44 years, or the natural militia age; the number of males 21 years of age and upward, representing the potential voting age, and the number of persons over 45 years of age, or the aged and sterile classes.

Besides this, very interesting results will be shown by states and for principal cities concerning areas, dwellings, and families, comprehending the total number of families and dwellings, the average number of persons to a family, the average number of persons to a dwelling, the number of persons to a family in detail, as number of families of two, three or four persons, to the highest number reported; the number of persons to a dwelling in the same manner; and for the larger cities a special classification of the number of families to a dwelling. The only tally in 1880 as regards dwellings

and families was by simply counting the number of families and the number of dwellings in the given district, and dividing the total population of that district by the number of families and the number of dwellings, in order to obtain the average size of such families and dwellings.

So much for the first handling of the cards. It is expected that the result of this work will all be in the hands of the Public Printer before the close of the year.

The subsequent counts of the punched cards, as I have said, may number four or possibly five. They will furnish all the various particulars concerning each individual as regards place of birth in detail by states and foreign countries, ages by single years, occupations, months unemployed in remunerative occupations, foreign parentage, illiteracy, and conjugal condition, besides several new and important features of the present census as regards population. The inquiries concerning foreign born male adults as to the length of residence in this country, and whether they are naturalized or not, will furnish data in regard to the problem of unrestricted immigration. For all persons ten years of age and over, either of foreign birth or foreign extraction, an inquiry was made as to whether they were able to speak the English language. The results of these inquiries, particularly as regards the alien element of our population, will determine the number who have not yet learned to speak our language. Concerning all married women, also, a new inquiry has been introduced into the census, calling for the number of children born to them since marriage and the number of these children now living. This will aid in solving the question as to the relative fecundity of women of various nationalities. The present census law also calls for a subdivision of the colored population into blacks, mulattoes, quadroons, and octoroons. The result of this special requirement can furnish, however, only an approximation at most as to the real facts.

The separate enumeration of the names and service of survivors of the war of the rebellion has also entailed a great deal of labor in

the collection, correction, and classification of the results of this special enumeration, comprehending records of from 1,200,000 to 1,500,000 veterans, and which, if published, will occupy seven large quarto volumes of 1,000 pages each. At the last session of Congress no provision was made, however, for the printing of this huge directory of surviving veterans of the late war, and until such provision has been made for the continuation of this work no further steps can be taken toward the completion of the results of this most important and patriotic inquiry. Incidental thereto, however, by means of a special inquiry made on the population schedule, it will be possible to show for all surviving veterans their ages at the time of taking the census, where they were born, where they now reside, in what employments they are found, and what their present mental and physical condition may be; for the widows of such as have died, a similar presentation will also be made. This portion of the inquiry will be brought to completion as soon as possible.

In the subsequent counts of the cards the primary classification of the population into native white of native and foreign parents, foreign white, and native and foreign colored, will be observed in all cases. With the exception of the distinction already referred to for native white as regards parentage, the results concerning single years of age and place of birth in detail by states, territories, and foreign countries will not differ essentially from those arrived at in the census of 1880.

The results alluded to as intended to be shown in 1890 were obtained in 1880 by the following tallies: a rough count showing the population by white and colored, by native and foreign, and by male and female. I believe there were also tallied separately Chinese, Japanese, and Indians, where such occurred. Age was tabulated by single years, according to the six following heads: native white male, native white female, foreign white male, foreign white female, colored male, and colored female. From this tally the various tabulations of age, race, and sex were

obtained. The birthplace of persons residing in the United States was tabulated according to the forty-seven states and territories for the native born, with the distinction of white and colored, and according to some sixty foreign countries for the foreign born.

For foreign parentage, however, it will be possible in 1890 to show as regards each of these primary subdivisions a classification of birthplace of father in combination with the birthplace of mother for the following countries: United States, Ireland, Germany, England, Scotland, Wales, Canada (distinguished as to French and English Canadians), Sweden, Norway, Denmark, Bohemia, France, Hungary, Italy, Russia, with a grouping of other countries, and unknown. In 1880 foreign parentage was tabulated, according to what General Walker at that time appropriately termed "a highly complicated form," for a little more than one-half of the entire population, or 26,354,124 out of a total population of 50,155,783, according to whether the person was native or foreign born, and whether the father was born in one of the following seven groups of birthplaces: United States, Ireland, Germany, Great Britain, Scandinavia, British America, and other countries, and according to the same seven groups of birthplaces for the mother. Measured by possible combinations of facts, this means a total of 1,620 points in 1890 as against a total of 98 points in 1880.

In 1890 the occupations as returned by the enumerators have been classified under nearly three hundred heads, following in the main the classification used in the Tenth Census, but with certain modifications and amplifications to meet the requirements of the present census. The results regarding occupations will be shown according to the primary subdivisions of population, as already noted, by sex, for the eighteen places of birth referred to under foreign parentage, and for the following age periods: Under 15; 15 to 19; 20 to 24; 25 to 34; 35 to 44; 45 to 54; 55 to 59; 60 to 64; and 65 and over. In 1880 occupations were

tabulated under 265 heads, by sex, by three age periods, namely, 10 to 15; 16 to 59; 60 and over, and according to seven birthplaces, grouped as follows: United States, Ireland, Germany, Great Britain, Scandinavia, British America, and other countries.

Regarding illiteracy, a tabulation will be made for all persons ten years of age and over who can neither read nor write, or who are returned as being unable to write, subdivided according to the five primary divisions of population, by sex, and for ages by quinquennial periods from 10 to 25 years, by decennial periods from 25 to 45 years, and for those 45 years and over. In addition, such distinctions will be made as regards place of birth and occupations as may be necessary to determine the nationalities from which the larger part of this element of our population is derived as well as the employments in which they are more commonly found. In 1880 the illiterates were tabulated according to native white, foreign white, and colored, and subdivided by sex according to the following three age periods: 10 to 14; 15 to 20; and 21 and over.

One of the most striking illustrations of the improved methods of tabulation is the fact that General Walker was unable to tabulate conjugal condition even in its simplest form, though full data regarding the same were enumerated. In 1890, however, the conjugal condition of the people will be tabulated not only as regards native white of native and foreign parentage and foreign white, but for the colored a further separation will be made as regards the blacks, those of mixed blood, and for Chinese, Japanese, and civilized Indians, distinguished as to sex and age periods.

Speaking of errors, and they will ereep in regardless of every precaution, reminds me of the fact that the punched card system provides a far better check against error than the old system of tallying. Every day a careful examination of the cards punched by each clerk was made, and the percentage of errors found that would pass through the machine rarely exceeded a quarter of one per cent. This system of examination comprised the taking of twenty-five to fifty cards at random and comparing them with the

schedule. In the work of punching, three classes of errors are likely to occur: first, the card may be improperly punched, that is, some part of the information necessary to a complete transcript may be omitted; in all cases, however, these cards are invariably rejected by the tabulating machines, and cannot be counted until the proper corrections have been made; second, the record punched upon the card may be an inconsistent one, as, for instance, a young person less than ten years of age may be recorded on the card as engaged at some remunerative occupation, as farmer, carpenter, etc., which, of course, cannot be the fact and is an error in punching; such inconsistent transcripts, however, must appear on the result slips when this class of information is tabulated, and will then, as a matter of course, be eliminated; third, the card may be so punched that the error may be said to be a consistent one, that is, the information as punched may not be the exact fact, and still is not inconsistent with the other facts punched on the schedule as regards sex, place of birth, occupation, etc.; for instance, a person's age may be punched 29 years instead of 25 years, yet the facts as regards occupation, place of birth, etc., are thoroughly consistent with such record. The latter is the only class of error which cannot be detected by the work of subsequent tabulation. I have every reason to believe, however, that the percentage of this class of error is entirely immaterial, particularly as it is as easy to punch a correct transcript as an incorrect one. And the reason for this belief is the fact that thus far, and we have run more than half the cards through the machines, the two classes of errors which can be detected only average a little more than one per cent of the total number of cards counted. In this connection it must be understood that of this percentage of error more than three-fourths are made up of omissions to punch one or more holes out of an average of from fourteen to seventeen holes to each card and less than one-fourth of incorrectly punched holes, this estimate being based upon a very careful examination of over two hundred thousand cards to determine the classes of error most commonly made.

Another point should also be stated. As I have just mentioned, in each punched card from fourteen to seventeen holes were necessary to represent all the information returned on the population schedule concerning each person enumerated; so that, if instead of basing the percentage of error, whether of omission or commission, upon the actual number of cards rejected, as has been done, it should be determined by the relation which the number of holes omitted or improperly punched bears to the whole number of holes punched in all the cards, the percentage of error discovered and corrected becomes hardly worthy of serious consideration, that is, less than one-fifteenth of one per cent. It is not likely therefore, that the errors that go undetected are consequential. The only way to insure absolute accuracy would be to compare every card, the cost of which would be so great that it would be folly to undertake it. With ordinary care and with additional checks the transcription of data has been undoubtedly as accurate, if not more accurate, than in previous censuses.

In closing these remarks relating to the population work I cannot speak too highly of the assistance I have received from Mr. William C. Hunt, of your city, special agent in charge of population. Much of the credit for the thoroughness of the work and the promptitude with which it has been done belongs to him.

The electrical tabulating system has not only been used by the population division but by Dr. Billings in tabulating the vital statistics, and by Mr. Wines in tabulating the statistics of pauperism and crime. As I shall show later on, the latter report is nearly completed, and will be ready for the printer in a few months. In speaking of his experience with the card system Mr. Wines recently said:

"The essential difference between the Eleventh Census and that which preceded it was the adoption of the card system for the tallying of results and the use of the newly invented Hollerith electrical machine for counting the cards. Too much can scarcely be said in praise of this machine, which has enabled us to

compute results with much greater rapidity and accuracy than by the old method of tallying, besides giving the opportunity to make a much more thorough analysis of the figures.

"One who has not had personal experience in handling cards prepared as these have been cannot conceive the stimulating effect which they have upon the imagination of a statistical computer. They become endowed, in his fancy, with all the attributes of living beings, whose life experience is written upon their face in hieroglyphic symbols resembling in significance the traits of the human countenance. A card which means nothing to the uninitiated is converted into a pauper or a criminal, whose sin and suffering are as palpable as if the man himself were bodily present in the room. The groups into which they are cast are like the divisions of an army, from the corps to the battalion. Under the mysterious influence of the electric current running through the machine, they organize themselves, as though possessed of volition, into these groups and subgroups, with a precision superior to that shown in any movement of disciplined troops at the word of military command. I can compare this current to nothing less intelligent and powerful than the voice of the archangel, which, it is said, will call the dead to life and summon every human soul to face his final doom.

"The first advantage of the Hollerith system is the more than stenographic celerity with which the record of each individual enumerated is transferred from the original schedule to the cards for tallying. Instead of the multiplied motions required in transcription by the ordinary process of writing, one turn of the wrist suffices for the recording of each reported fact. If some time is lost in placing the cards in position in the punching machine, on the other hand the record does not require so many independent physical movements as are necessary even in stenographic writing, where each line represents a sound.

"In the next place, the entire record for each individual is on a single card, and, once made, can never be changed. Under the old

system of tallying by check marks employed in the Tenth Census, recourse had to be had to the original schedule for each successive tally, and if the results in one tally did not correspond to those obtained in another the work had to be done over. Under the new system, when the cards are once correctly punched the schedules are put away forever, and there is no chance for any disagreement between one tally and another. In the Tenth Census all work was done in duplicate, by two sets of clerks, and the results compared for the sake of accuracy and certainty; in the Eleventh Census this duplicate proof has been rendered needless, thus saving both time and money.

"The limitation in usefulness of the punched cards is due to the impossibility of increasing the number of holes on the punching plate, which are insufficient to admit of a complete analysis of all the recorded facts. Practically, however, this analysis can be carried as far as the limitation of cost of the Census will allow.

"But the great superiority of the present system consists in the substitution of a purely mechanical method of counting for the tedious and trying Scaton slips of paper, on which the tally was made by pencil marks. It saves the eyes of the tallyist, reduces the number of tally clerks required, relieves them of the difficult task of actual counting, and avoids the possibility of errors arising from their weariness or inattention. The work which they do becomes sooner or later purely automatic, and the speed which they attain by practice, if adapted to it, is wonderful. Under that system groups of co-ordinated facts are as easily and quickly tallied as single facts, and that without any demand on the intellectual faculties of the tallyist. The possibilities of new combinations in tabulation without extra cost are enormously increased.

"Besides, the sorting-boxes attached to the machine, which are operated by an independent electrical current, enable the statistician to tie up the cards in separate bundles, which are not disturbed until their usefulness is at an end, and then a new arrangement of the cards is practicable, which can be retained as long as

expediency dictates. For example, I have at the present moment 273,455 punched cards, namely, 82,329 prisoners, 73,045 paupers in almshouses, 14,846 inmates of juvenile reformatories, and 113,235 inmates of benevolent institutions. These have all been sorted, first into the five geographical groups of states, according to the plan adopted for all census work; then into the elements of the population for each group, namely, natives with both parents native, father native, mother native, both parents foreign, one or both parents unknown, foreign-born, persons whose birthplace is not stated, negroes, Chinese, Japanese, and Indians. This analysis has been maintained throughout the whole of the work of the eighth division, and will be maintained to the end. Then I have taken the prisoners and subdivided these groups, for that class, according to groups of criminal charges preferred against them, such as larceny, burglary, arson, homicide, etc. I could, had I preferred it, have divided them by ages or by length of sentences imposed, or in any other way. The final outcome of my studies will show that the opportunity to preserve these groupings intact has been of the greatest service in facilitating a more thorough analysis than would otherwise have been possible; and, besides, there is no room for questioning the accuracy of each table evolved, since the results obtained at each successive step must correspond in the aggregate, figure for figure, with those obtained at each previous stage of the entire process, and an error cannot occur which will not infallibly be detected."

This would seem to dispose of all questions as to the accuracy of the method, while the speed and economy is also demonstrable.

Next in importance to the count of the people are the vital statistics and the statistics of the special classes; for after we know the number of our population, its characteristics, distribution, and parentage, the question of its health and physical condition naturally comes up for consideration. The Census Office was fortunate, therefore, in securing the services of that eminent authority on all matters appertaining to vital statistics, Dr. John S. Billings,

surgeon United States army, whose report for the Tenth Census was far in advance of anything ever attempted in this direction before.

The great importance of complete and accurate records of vital statistics, including marriages, births, and deaths, is becoming more and more recognized in this country. Such records are the absolutely necessary foundation for well-directed attempts to improve the health and lengthen the life of the people; to increase the productive efficiency of the workers; to form a sound basis for the enormous money interests involved in the business of life insurance, and for other purposes vital to the health and well-being of the population. The great majority of the States have still no satisfactory system for registration of vital statistics, although most of them are slowly being improved in this respect.

The accurate collection of statistics of mortality by means of the regular Census enumerators is perhaps the most difficult undertaking imposed on the Census Office. Any efforts to secure a statement of facts concerning the deaths occurring in any locality during the year preceding the date on which the inquiry is made will necessarily fall short of securing a complete return. This fact has been well understood, and every effort made to supply deficiencies that could be successfully carried out. The most reliable data are obtained from those localities in which local laws require the registration of each death at the time it occurs, and wherever the facts so recorded furnished sufficient data for the use of this office, copies have been made of the registration records. This has been done to a much greater extent than in any previous census.

The great advantage of the system of tabulation adopted and already referred to lies in the fact that it is possible under that system to make an entirely accurate compilation of the data collected, inasmuch as the whole record in each case is kept upon one card, which is used in all the subsequent steps, and which is identified with the case it represents by a number, permitting quick reference to the original record in case of any discrepancy or inconsistency appearing in the results, a feature which is not possible under any system of tabulation involving the use of tally sheets.

The most important new features of work in this direction are as follows:

(1) A special study of the birth and death rates and of the principal causes of death in twenty-four of our largest cities, to show where the highest and lowest death rates prevail and what the relations of these are to topography, drainage, character of habitations, overcrowding, poverty, and other environments.

(2) A special study of the influence of race upon fecundity and mortality, including studies of the birth and death rates of mulattoes as distinguished from negroes on the one hand and whites on the other, and of the principal European races which have contributed to the population of this country.

(3) A special study of the relations of occupation to death-rates and to particular causes of death, as shown by a detailed study of figures derived from the records of our largest manufacturing cities for a period of five years, in addition to the data of the whole country for the census year which were obtained by the enumerators.

The records obtained from states and cities maintaining a compulsory system of registration of deaths are much larger than those obtained in previous censuses, and cover an aggregate population of over 17,000,000. The death records of this population for the census year in the state of New Jersey, in New York city, Brooklyn, Richmond county, Westchester county, Kings county, and part of Queens county (New York), and in Boston, Philadelphia, Baltimore, and the District of Columbia, and for a somewhat lesser period of time in Chicago, St. Louis, and Cincinnati, have been tabulated. The total number of deaths thus recorded, the records of which are especially accurate and complete, is 740,884. These records, in connection with those for the census year, furnish a continuous record of deaths for these localities for a period of six years, which will afford more reliable information than anything which has heretofore been published with regard to the vital statistics of this country.

Dr. Billings likewise has charge of the statistics relating to the insane, feeble-minded, deaf, and blind, classified in the Eleventh Census under the head of "Special Classes." A comparison with the returns of 1880 indicates that the enumeration of these classes has been upon the whole satisfactory and the treatment of the returns will be substantially the same as ten years ago.

I have not attempted such an elaborate report on the social statistics of cities as that inaugurated in 1880 by Col. George E. Waring. Still the subject was important, and it seemed a pity to omit it altogether. It was therefore decided to make a statistical report on this subject, and the results have been highly satisfactory. The work is now substantially completed, all available information tabulated, errors corrected, and verifications made.

Nearly all the information for the treatment of social statistics of cities has been collected through the several city officials, mostly without expense other than clerical work. Letters explaining the scope of the work were sent to all places having a population of 10,000 and upward, and the several chief executives were asked to co-operate with this office, to enable their cities to have full representation in the final report. Schedules were then prepared, covering all points to be treated, and so divided that each one could be referred to the officer having jurisdiction of the subject to which it pertained. There were twelve schedules covering the following points: Altitude, cemeteries, drainage, fire, government, licenses, parks, police, public buildings, streets, street lighting, and water works. The railroad statistics, including suburban travel, were obtained directly from the officers of the several roads. Bulletin No. 100 shows the manner in which all cities will be treated in the final report.

The scope of the investigation is one that will be useful to every municipality in the country. Apart from showing the conditions surrounding the inhabitants of cities of 10,000 population and upward, it presents in concise form the cost of all municipal improvements. The present inquiry, owing to its purely statistical

treatment, will form a solid basis for subsequent investigation on the same line, but no comparison can be made with the work of Colonel Waring because the volumes of the Tenth Census did not give sufficient statistical data.

As to securing information relating to pauperism and crime for tabulation, there was no essential difference between the Tenth and Eleventh Censuses. Schedules were sent to the larger institutions to be filled by the officers in charge, and for the smaller institutions reliance was placed upon the regular enumerators. The inquiries contained in these schedules were for the most part identical with those ten years ago, though some new questions were added, and the forms of the schedules were, in my judgment, materially improved. A new feature of the Eleventh Census, however, was the appointment of institution enumerators selected by the authorities in charge of the institutions, and the payment of such enumerators, a method which was found to work admirably in practice. The same plan was adopted with all benevolent institutions. In this way we secured three or four thousand of the very best equipped persons as enumerators for a class of work that would be difficult for ordinary enumerators to perform.

The statistics of crime, defect, and misfortune are like the record of thermometric and barometric observations in meteorology, or like the varying movements of the needle which indicates the pressure of steam in the boiler. It is matter for congratulation that the figures for 1890 when compared with those for 1880 show no alarming growth of these evils during the past decade. The number of prisoners returned in 1880 was 58,609; in 1890 it was 82,329; an apparent increase of forty per cent against an increase of a little less than twenty-five per cent in the population at large. But an examination of the figures shows that this relative increase has been in the population of our minor prisons, not of our penitentiaries, and it does not indicate any greater prevalence of serious crime; indeed, it may be due merely to greater care and severity in dealing with disorder

and petty misdemeanors. The number of paupers in almshouses returned in 1880 was 66,203; in 1890 it was 73,045, an increase of only about ten per cent, or less than half what might have been anticipated. The number of juvenile delinquents in custody in 1880 was 11,468; in 1890 it was 14,846; an increase of between twenty-nine and thirty per cent, or very nearly the same as that of the total population. The slight excess is an encouraging fact, since it shows a growing disposition to rescue young offenders from a criminal career.

In Bulletin No. 90, relating to the almshouse population, a table is published, by way of appendix, which shows the number of outdoor paupers found and returned by the Census enumerators. These figures have been much misunderstood and misrepresented by persons who have failed to apprehend the fact that no statistics of outdoor relief can be procured through the agency of the enumerators, for the obvious reason that they cannot ask at every house whether any of the member of the household are paupers. Their local knowledge enables them to report a few of this class. Both in the census of 1880 and 1890 such information as has been obtained in this way has been given to the public, chiefly for the purpose of demonstrating the futility of any effort in this direction. But it should be known and understood that probably not one outdoor pauper in ten ever has been or ever will be discovered and reported by the Census enumerators.

Education was a subject of national census inquiry for the first time in 1840, fifty years ago, when in no entire state but the commonwealth of Massachusetts were public schools and free schools synonymous. The change that almost immediately after that census set up the union free school as a standard in a town of New York swept on across the new states of the West, but compelled to jump over Indiana for the time by an adverse judicial decision, and since the civil war almost the whole Union has come into line for local taxation to secure the support of public schools. The public provision has widened for superior and secondary as well as

elementary education, not so strikingly evident in a state whose early policy foreshadowed what we now see, as in the nation at large, embracing states which for years depended mainly upon private interests for the education of the people. Without pausing to dilate upon the township land grants in all the new states for elementary schools and the special endowments of the agricultural colleges, the records show a more rapid growth of school enrollment than of population, indicating how vital an interest this is to the people. The general conditions for each decade of pupils enrolled in schools, exclusive of special classes, reformatory, charitable, and Indian schools, appear to be as follows :

	1840	1850	1860	1870	1880	1890
Population....	17,069,453	23,191,876	31,443,321	38,558,371	50,155,783	62,622,250
All schools...	2,025,656	3,642,604	5,477,057	7,210,420	.....	14,372,083
Primary and common 1840,						(a)
public 1850,						
etc.....	1,845,264	3,354,173	4,955,894	6,228,060	9,951,608	12,707,683

a Including private and parochial, each 800,000; advanced public, 65,000.

Education has not only been a dominant consideration with the philanthropist and moralist, but from the point of view of the statesman and the economist, so much are public policy and public energy involved in its administration.

The conditions point out two distinct lines of census inquiry on education. The population schedules embodied questions as to age, sex, maternal nativity, occupation, in which attendance at school as teacher or pupil is included, and illiteracy, from which could be derived tables showing the amount of time used in teaching, or by children as pupils, as well as an analysis of the condition of occupations and nativity of illiterates.

Much is said of school age. It is to be remembered that school age pertains to state laws, and that there is no national school age.

The state laws vary so greatly on this point that it is better for a national census to give the facts for each year from four years, the minimum in any state, to twenty-one years, the maximum in any state. Individual states can then derive from the national reports such facts as are useful under their own laws. The items above named have never been sought except to a very limited extent by any authority other than a national or a state census, and for the country as a whole by a census only. Few states have yet taken a separate census. The more stress is to be laid upon this matter, as in the discussion as to what is desirable for the future for the Census Office some have presumed that educational statistics were available without the Census. It is to be emphasized that except through the decennial national census no statistics of national illiteracy have hitherto been available. These conditions, as shown by the population schedules, are being tabulated as rapidly as possible.

There is another line of inquiry which ought to be readily handled, and educators and school officers should see to it that it becomes comparatively easy for even a private individual to gather the facts for his own satisfaction in any year. This line of inquiry is the reports of the institutions as distinguished from the statements by the heads of families. It is now a laborious inquiry, not altogether satisfactory, because of the exceeding diversity of records. It should be so light a work that any state could afford to give an outline table of attendance for the Union from its exchanges with other states, occupying a small space, to make a comparative view for its citizens in any regular report. It is now, however, no light work to gather even the public-school enrollment.

Taking warning from the fate of educational statistics in the Tenth Census which largely failed of publication, it was determined to confine the inquiries in the Eleventh Census to a small number of essential questions most readily answered, the results of which would be capable of being most promptly prepared for pub-

lication. The schedules sent out for the public common schools, therefore, asked only for the number, sex, and color of the teachers and pupils, and a separate statement for those in high schools. Simple as this schedule was, it was necessary to send thousands of inquiries to local officials in some of the states because the ordinary report took no account of sex or color. Even number is not a simple matter in practice, whatever it may seem in theory. In some cases the promotions, re-enrollment, and transfers within the year all went to swell the annual enrollment, while in other cases all such duplications were carefully excluded, most completely of all the states by the commissioner of common schools for Rhode Island. Sex was omitted from the usual reports of twenty states at the organization of the Census; the chief officials in seven of these were able to adjust their reports for the census year so as to report sex. There is an idea prevailing in certain quarters that number is the only essential item. Passing by the important question whether more boys or more girls are occupied in wage labor—and so anywhere the balance of the sexes is disturbed in elementary schools—here in the state of Massachusetts are a little over 25,000 pupils in public high schools. It is well known to those who have paid special attention to the subject, that in the country at large girls greatly predominate over boys in high schools. Now it is a question of consequence whether the high schools of Massachusetts are equally educating the young people or whether they tend to become young ladies' seminaries, yet the attendance by sex is not a matter of state record. In the nation, color becomes an important item as a superficial indication of race, though in large portions of the country one race is almost absolutely prevalent to the exclusion of others.

Here in Massachusetts it was not presumed that a teacher would find it difficult to make a suitable estimate of the sex of his pupils and of the few colored enrolled in the census year from his knowledge of changes by the time inquiries reached him. The press has rendered invaluable aid to the census and so to the community, and it was by the criticism of an enterprising Boston daily upon

the inadequate showing in a Census Bulletin of the reports on color in the schools furnished by the local authorities, that something like a fair statement of the colored enrollment was at last secured for Massachusetts. The criticism of the newspaper led some officials even to send corrections for their original reports. The fullness and accuracy of reports of institutions depend on school officials. If the records are defective no inquiry after the year is ended can be readily answered, and so for all institutional reports the first essential is completeness of the leading particulars of record. If the local records are properly made and preserved, their compilation into state and national tables will be a very simple and easy matter, not very burdensome upon any bureau that may do the work.

In the absence of anything like a uniformity of record of attendance, it was deemed wholly impracticable to secure the exceedingly important item of effective attendance which could be expressed by the aggregate number of days' attendance of all pupils. It is in evidence of the labor that the general statistics of school enrollment for the census year throughout the country are not yet available to the public except through Census publications, and it is in evidence of the energy with which the work has been pushed by Professor Blodgett that the facts are available to the public at so early a date. The final results, with very slight allowance for additions to private and parochial schools, will show close to fourteen and a quarter million pupils in all schools, including nearly eight hundred thousand in private schools and a like number in the subdivision parochial schools.

To be definite, the enrollment in the common schools of the United States in the Eleventh Census year will not vary appreciably from the following statement:

	Total.	White.	Colored.
Teachers.....	261,751	337,740	24,041
Pupils.....	12,707,683	11,350,587	1,357,096

The office has occasion to recognize an almost universal, hearty and cordial co-operation by public and private school officers and managers of parochial schools.

It is undoubtedly true that for the first time the United States Census has secured complete church statistics. By limiting the number of questions and by the most persistent and voluminous correspondence, we have nearly finished the work of showing by counties the number of church communicants in something like 130 religious denominations and their several branches. These statistics have been gathered expressly for the Eleventh Censns. None have been copied from printed reports, except so far as those reporting for districts or associations or conferences may have used printed matter when other sources of inquiry failed. The plan adopted was to secure the statistics desired through the clerks of the various ecclesiastical subdivisions. In churches having the presbyterian form of government, the stated clerks of presbyteries were requested to gather, by the use of printed circulars, the statistics from the churches within their jurisdiction, enter the results in schedules and forward them to the Census Office; in churches having the episcopal form of government, this work was placed in the hands of the secretary or bishop of the diocese; in churches having annual conferences, like the Methodist Episcopal, the presiding elders of districts, who visit all their churches once every quarter, were commissioned to obtain the desired information; in the Catholic churches the very arduous task of collecting the necessary statistics was intrusted to persons selected by the ecclesiastical authorities; in denominations having no ecclesiastical conferences or associations, like the Unitarians, each pastor was communicated with directly. I may say that this plan has worked admirably. It would have been impossible to communicate with all pastors direct, because in many churches they change their location very frequently and new congregations are being constantly organized, and reports obtained in this way would be necessarily incomplete. Each stated clerk of

presbytery, secretary of diocese or association, or presiding elder of district, knows intimately all the congregations within his jurisdiction, and this fact insures complete and intelligent reports. The number of secretaries, stated clerks, and presiding elders who have assisted in this way in obtaining statistics is very large. Many of the denominations for which full returns have been obtained never gave to the public before any statistics whatever. The following returns have been tabulated and are already printed in bulletin form:

FIRST BULLETIN: Advent Christians; Evangelical Adventists; Life and Advent Union; Baptists; Seventh-Day; Seventh-Day German; Six Principle; Brethren in Christ, or River Brethren; Catholic Apostolic; Christian Church South; Church of the New Jerusalem (Swedenborgian); United Presbyterian; Salvation Army; Schwenkfeldians; Theosophical Society.

SECOND BULLETIN: Brethern (Plymouth); Church of Jesus Christ of Latter-Day Saints (Mormons); German Evangelical Protestant Church; German Evangelical Synod; Moravian (Unitas Fratrum); Cumberland Presbyterian; Reformed Episcopal.

THIRD BULLETIN: Armenian Catholics; Greek Orthodox Church; Greek Catholic Church (Uniates); Old Catholic Church; Reformed or Converted Catholic Church; Roman Catholic Church; Russian Orthodox Church.

FOURTH BULLETIN: Mennonite; Bruderhoef; Amish; Old Amish; Apostolic; Reformed; General Conference; Church of God in Christ; Old Wisler; Bundes Conference; Defenceless Brethren; Dunkards (Conservative); Dunkards (Progressive); African Methodist Episcopal; Wesleyan Methodist; African Union Methodist Protestant; Independent Churches in Christian Union; Temple Society; Church of God; Reorganized Church of Jesus Christ of Latter-Day Saints; Shakers; Amana Society; Bruderhoef; Harmony Society; Society of Separatists; New Icaria; Altruists.

FIFTH BULLETIN: Lutheran; General Synod; United Synod in the South; General Council; Synodical Conference; Joint Synod of Ohio and other States; Buffalo; Hauge's; Norwegian; Michigan; Danish Lutheran Church in America; German Augsburg; Danish Lutheran Church Association; Icelandic; Immanuel; Suomi; United Norwegian; Independent Congregations.

The following returns for two bulletins are in course of tabulation:

Associate Church of North America; Associate Reformed Presbyterian Synod of the South; Bible Christians; Christian Connection; Disciples of Christ; Disciples of Christ (Colored); Cumberland Presbyterian Church (Colored); Friends: Orthodox, Wilburite, Hicksite, Primitive; Hebrews: Orthodox, Reformed, Hebrew Christians; Independent Methodist; Reformed Church in America; Reformed Presbyterian Church of North America (General Synod); Reformed Presbyterian Church in the United States (Synod); Reformed Covenantant; Reformed Presbyterian Church (Pittsburg Presbytery); Social Brethren; Society of Ethical Culture Spiritualists; Union American Methodist Episcopal; Welsh Calvinistic; United Zion's Children; Confucianists; Christian Reformed Church in the United States; Seventh-Day Adventist.

Church of God (Age to Come); Baptist (Regular); Baptist (Regular, Colored); Baptist (General); Baptist (Primitive); Baptist (Primitive Colored); Baptist (Original Freewill); Baptist (Free); Baptist (General Freewill); Brethren (Owen's); Brethren (Whelpley); Brethren (Old Order); Christian Scientist; Church of God in Christ Jesus; Church Triumphant; Church Triumphant (Koresban Ecclesia); Congregationalist; Evangelical Association; Congregational Methodist; Free Methodist; Methodist Episcopal South; Methodist Episcopal; Primitive Methodist; Colored Methodist Episcopal; African Methodist Episcopal Zion Church; Methodist Protestant; Presbyterian Church in the United States; Presbyterian Church in the United States of America; Protestant

Episcopal; United Brethren (Old Constitution); Unitarians; Universalists.

The volume on Church Statistics will be ready for the printer by the close of this year.

The work of the Wealth, Debt, and Taxation Division of the Census has been modeled after the work of 1880, which I had the honor to compile under the direction of General Walker. The debt work is now completed and in the hands of the printer, and I hope to have the completed volume out early in 1892. Except in the matter of receipts and expenditures, the scope of the work for 1890 is not much greater in extent than it was for 1880, but the work itself is far more exhaustive in detail. In 1880 the debt of only twenty-seven foreign nations was compiled, and these from unofficial sources. In 1890 full official details will be published of eighty-one countries, and their per capita. The debt of the United States is also much more in detail in 1890 than in 1880, and with it is shown the paper and coin circulation, which was not shown at all in 1880. In 1880 the debt of the states of the United States as published showed few, if any, details, and no account was taken of the funds held by the states, either in amount or character. For 1890 complete details of every outstanding loan and of all funds on hand will be shown for each year from 1880 to 1890. The municipal and school district debt was not published in detail in 1880, except for New England. In 1890, every place that has a debt will be reported.

In 1880 the receipts and expenditures of only 310 municipalities, being those having a population of 7,500 or upward, were shown. In 1890, not only will the expenditures of these cities be shown, but the receipts and expenditures of the states for ten years, in detail, of all the counties where information can be obtained, of all municipalities having a population of 4,000 or upward, probably more than 1,000 in number, and of all the school districts in the United States by counties.

In 1880 no details of valuation of cities less than those having a population of 7,500 were shown except in New England, Michigan, New York, Pennsylvania, and New Jersey, and in the three latter the details of taxation were not shown. In the Eleventh Census, 1890, the valuation and taxation of every place in the country having a population of 1,000 or upward will be published, and probably in New England, New York, and Pennsylvania every place with a debt-creating and taxing power. Speaking as the author of the work ten years ago, I do not hesitate to say it will be in every respect a far more valuable and complete report.

I have now come to a novel feature of the Census.

It has cost nearly a million dollars thus far to collect the statistics of mortgage indebtedness of individuals and private corporations throughout the United States. That seems like a large sum of money, but it will take, as I informed the committee of both Houses of Congress when the matter was under consideration, at least another half million dollars to finish the investigation. Did Congress act wisely in appropriating a million dollars to carry on this investigation, especially when the committee was informed at the time that certainly half a million more and possibly another million would be required to finish the investigation? It was not a hesitating act. Both parties voted for it. In the Senate I believe but four votes were cast against the bill, and in the House of Representatives not over twenty-five negative votes were recorded. It was a novel not to say a bold step in statistical inquiry. Old statisticians shook their heads and said the obstacles in the way of such an investigation were too great to overcome. All over the country could be heard murmurings of discontent and declarations that the people of the United States would never submit to such an inquisitorial inquiry into their private affairs. Reckless newspapers made this investigation, forced upon the Census Office in spite of the repeated protests by almost a unanimous vote in both Houses of Congress, an excuse for attacks upon the whole Census, and called upon the people to resist the enumerators,

if necessary, with force. Meantime the Superintendent of Census was sorely perplexed. This novel inquiry had been ordered on the very eve of sending out the population schedules. Those schedules were complete and the public printer was ready to start the printing of 25,000,000, the probable number required. No time could be lost. To put questions in the population schedules asking every individual in the United States the amount of the mortgage on his farm or home, the motive for contracting the debt, and the value of his property, would have swamped the constitutional enumeration of the people. The amount of irritation which would have been aroused had this course been adopted cannot be estimated. The enumeration of the people would have been endangered and for no purpose, because in the very nature of things the enumerators would have failed in half the cases to obtain the desired information about mortgages. The accepted theory of the Census is that the enumerators see personally about one in every seven of the inhabitants. Already the population schedule of the Census was bowed down with the burden of a double yoke. There were twice as many questions as should have been propounded before those relating to mortgages were added. These questions, however, were made as easy as possible by throwing out all reference to the amount of the indebtedness, interest, value of property, etc., and confining them to a simple inquiry as to whether the farm or home was owned or rented, and if owned, whether free from debt or incumbered by a mortgage. If unable to ascertain whether a home was mortgaged or not, the enumerator was instructed to give the full name and address of the owner, and in subsequent correspondence the Census Office assumed that the property was mortgaged until otherwise informed. This solution proved a practical one, and has formed the basis of one of the most valuable and interesting investigations ever undertaken by any government. While the addition of these and other questions, such as those relating to the veterans of the late war and other inquiries, increased the cost and added to the difficulties of the constitutional enumeration, and

while my individual voice will always be raised against thus overloading the population schedule with special inquiries, I am satisfied that owing to the high character of the supervisors and the faithfulness and intelligence of the vast body of enumerators, the enumeration of the people did not suffer to any serious extent. At the same time Congress should in future legislation simplify the population schedule and relegate all questions relating to special inquiries to other schedules, to be subsequently filled out by special agents or by enumerators employed by the day.

From a statistical standpoint, the work of collecting information in regard to mortgage indebtedness has been prosecuted with a success far beyond the anticipation of statisticians who have studied the question for years. At the present writing it is impossible to estimate the full benefits which will be derived from such an investigation. The employment of a small army of 2,500 special agents and clerks to make an abstract of every mortgage placed on record throughout the United States for the last ten years has attracted attention to the dangers of these incumbrances, to the enormous burdens in the way of interest, to the alarming extent to which usury is practiced, and to the defectiveness of these records in all parts of the country. The agents of the Census Office have, as I have said, overhauled the records in every state and territory. They have traveled on horseback and on foot through the most sparsely-settled districts of our vast domain in search of mortgages, and have done their work so industriously and so thoroughly that we now have on file in Washington, as a result of their labor, the abstracts of about 9,000,000 mortgages. Some months before the inquiry was begun, Congress, and through Congress the public, was put in possession of the scope of the plan adopted. That plan, with hardly any change, has been successfully carried out. It comprised two distinct methods, one having the local records for the basis of operation, the other the population schedule, and hence the individual.

The two important features brought out in this inquiry are the amount of mortgages placed on record each year for ten years and the amount of the existing debt. It would, of course, be absurd to accept the amount of the uncanceled mortgages as the amount of debt in force. Such an exhibit would manifestly be a gross exaggeration unworthy of confidence. The extent of this defect in the records has been ascertained by the Census Office in 102 counties representing all parts of the country, and in 61 of these counties that have been tabulated the face of the uncanceled records exaggerates on the average the true amount of the debt by 71 per cent. It was therefore decided to make a transcript of the record in every case for ten years and ascertain therefrom the average life of a mortgage.

Preliminary experiments by special agents of the Census Office pointed to the use of the average life of mortgages, with an allowance for partial payments, as promising results much nearer the truth, near enough, at any rate, to be fairly conclusive as to the amount of existing indebtedness. This plan is approximately correct, and under perfectly uniform conditions would produce accurate results. An objection that can be raised against it is that mortgages are not uniform in amount and number recorded each year. These variations, however, when large amounts of debt are considered, are not as great as may be supposed, and under careful observation and corrective treatment lose much of their influence for error. If the average life of all mortgages under such circumstances is four years, and the total amount of the mortgages recorded within the last four years is taken as equivalent to the amount of indebtedness existing at the present time, it is evident that many paid mortgages created within the four years are included within the amount, and that many unpaid mortgages created more than four years ago are not included. In such cases it is true, if the average life of mortgages is correctly represented, that the mortgages of the life period of four years now paid are exactly equal to the mortgages made

previously to the life period and now unpaid, so that the total recorded debt of the life period stands for the amount of debt in force.

Our agents were therefore instructed to transcribe for every real estate mortgage acknowledged and received within the ten years ended December 31, 1889 (except mortgages made by public and quasi-public corporations), the following facts: The state and county in which the mortgaged real estate is situated; the year in which the acknowledgment was made; corporations, both as mortgagors and mortgagees, classified as savings banks, banks (including loan and trust companies, but not including savings banks), building and loan associations, insurance companies, mortgage corporations, and all others; the original amount of the debt; the actual rate of interest or, if not ascertainable from records, the customary rate at the time; the number of incumbered acres and city or village lots; and also, for the canceled mortgages of 1880-'83, the full dates of acknowledgment and cancellation. For the purpose of checking this inquiry special investigations were conducted in 102 counties well distributed throughout the United States, and representing every phase of American life and industry. In these counties the same facts were taken from the records as in other counties, and also for all uncanceled mortgages as far back in time as any appreciable number of them were found in force, the names and addresses of the parties. Schedules were sent these persons, and in each one of these counties an exact statement of existing debt has been compiled. The enormous cost would preclude this method for the whole country, but work in what is termed "inquiry" counties has been of great service in correcting the work elsewhere. The "inquiry" counties also reveal the purposes for which the debt was incurred. By far the largest proportion of real estate mortgage debt has been incurred to secure the purchase of land, and the cost of improvements stands second in importance. The security of purchase money is generally 50 to 75 per

cent of the real estate mortgage debt of the people of a county, and improvements generally represent from 10 to 20 per cent. of the debt.

The following table summarizes the results of this inquiry as far as possible to date:

	Alabama.	Iowa.	Kansas.	Tennessee.	Illinois.
Number of mortgages recorded during 1880-89.....	83,828	530,448	654,243	93,382	612,249
Amount of mortgages recorded during 1880-89.....	\$91,099,023	\$139,496,354	\$493,653,993	\$100,312,237	\$870,699,940
Number of mortgages in force, January 1, 1890.....	35,331	292,639	298,880	39,470	397,247
Amount of mortgages in force, January 1, 1890.....	\$80,027,993	\$199,774,171	\$343,146,826	\$40,421,386	\$384,299,180
Number of acres encumbered, January 1, 1890.....	6,008,638	16,312,176	20,590,705	3,035,816	10,751,244
Number of lots encumbered January 1, 1890.....	14,213	163,712	295,462	32,957	287,378
Number of acres encumbered during 1880-89.....	16,175,153	33,864,721	58,510,089	7,269,279	21,578,919
Number of lots encumbered during 1880-89.....	34,649	303,556	544,634	65,566	602,152
Percentages of debt recorded 1880-89, in force January 1, 1890.....	42.84	45.41	48.76	40.73	44.14
Percentage of assessed acres encumbered January 1, 1890.....	31.67	46.96	61.59	11.32	31.04
Equated life of mortgage (in years).....	2.73	4.92	3.88	2.81	4.02
Range of interest rates (per cent).....	1-40	1-30	1-40	1-12	1-18
Amount per capita of mortgages in force January 1, 1890.....	\$56	\$104	\$170	\$23	\$100

So much for the inquiry relating to recorded real estate indebtedness. The result of the direct inquiry as to the debt on farms and homes is not yet complete. The average farm and home debt, shown by tabulation of partial returns from counties distributed throughout the Union, is \$1,288 for farms and \$924 for homes. If these averages hold good for the United States, there is an existing debt in force of \$2,500,000,000 on the farms and homes of the United States occupied by owners and incumbered. Only some rough results of this inquiry are now known. It is probable that the number of families occupying and owning mortgaged farms and homes does not exceed 2,250,000, leaving perhaps 10,250,000 families that hire their farms and homes or occupy and own them free of incumbrance. The total number of families occupying farms is supposed to be about 4,750,000, so that about 7,750,000 families occupy homes.

The exhaustive investigation made in connection with the Tenth Census as to the production of meat, cotton, tobacco, and the cereals, and likewise into forestry, renders it unnecessary that the present inquiry should be extended beyond the developments and other changes of the past ten years, and the principal features of the forthcoming agricultural report will accordingly consist of subjects that have never before had any prominent place in census investigation. Among these are horticulture, viticulture, irrigation, the production of sugar, and the peculiar conditions of farm occupancy which prevail in the southern states, all of which carry with them their own justification, horticulture being a subject of more or less importance in almost every state in the Union; viticulture, an interest that is rapidly coming into the front rank, especially in California and New York; the production of sugar, an industry that is now attracting a more than ordinary amount of attention; the cultivation of the soil by the freedmen of the South, a matter involving social and economic questions of far-reaching importance, and irrigation, the agency to which some of the most prosperous agricultural regions of the United States owe their

present productiveness, and the only method as yet by which a large portion of the arid belt can ever be successfully brought under cultivation. Probably the most important investigation that is entirely new is that of irrigation in the arid states and territories, the results of which are being presented in a series of bulletins that will aggregate not less than 300 pages, and be combined in a special report, with suitable maps and illustrations. The intricate question of farm occupancy in the South, the outcome of the former condition of slavery, is being carefully investigated, and an endeavor is being made to trace the almost invisible line which divides the farm laborer from the tenant farmer. While various minor products of the soil have been taken account of for the first time in each of the great divisions into which agriculture naturally falls, it is in horticulture that the work of the division is mainly broadened.

On the farm schedule of the Census of 1880 there were but twelve inquiries in the line of pomology. In preparing the agriculture schedule for the Eleventh Census, the questions relating to pomology were increased to fifty. The vineyard questions were increased to seven, but in view of a special investigation, nurseries remained at two. The success of this work may best be judged by the several interesting bulletins on viticulture, floriculture, nurseries, and seed and truck farms, already published. These inquiries have certainly cleared the way for similar work, and our horticulturists are not likely to accept in the future anything less than has been accomplished by the Eleventh Census. Without undertaking such an elaborate report on meat production as ten years ago, we have secured a correct enumeration of the range cattle and the usual returns of live stock on farms. In accordance with the Act of 1889 an attempt was made to secure statistics of live stock other than those on farms, that is, in cities, etc., but has not been very successful, though a report is in course of preparation on that subject.

In no branch of the Census work was the plan laid with greater care than in the division relating to manufactures. More than a

year before the enumeration, Mr. Frank R. Williams, who compiled the statistics of manufactures for the Tenth Census and who has charge of this work for the Eleventh Census, visited all the principal centers of industrial energy of the country, conferred with manufacturers, with the officers of trade associations, with economists, statisticians, and men of affairs. The schedules for every industry were prepared with the utmost caution, and new questions added only after mature consideration. The items of credit capital and borrowed capital, heretofore omitted, were asked for, and the returns are entirely satisfactory in nearly all lines of industry. We have been able to make separations between the so-called "productive" and "non-productive" forces, respectively, in order to ascertain the true proportion of labor and wages employed in actual production; and a classified wage table has been added, to show the number of persons employed at the various rates of wages paid. Additional inquiries have been incorporated to show, as nearly as possible, the actual cost of production. Success has attended all these improvements. The large increase in number employed, value of product, and capital invested, in the rough additions thus far made, leave little doubt of the thoroughness of the work. I regard the withdrawal of the schedules relating to manufactures from the regular enumerator as the emancipation of American industrial statistics. I am sure General Walker will be glad to learn that I took three times as many cities and towns out of the hands of the enumerators as he did in 1880, and the result has been most satisfactory. It might be well to state in this connection that by the provisions of the Census law the Superintendent of Census has authority, whenever he may deem it expedient, to withdraw the manufacturing schedules from the enumerators, and charge the collection of the requisite data upon experts and special agents, to be appointed without regard to locality. Under the authority thus conferred the collection of the statistics of manufactures in 1,040 cities and towns, without regard to population, was withdrawn from the

general enumeration, and the duty assigned to special agents appointed immediately after the completion of the count of the people. In all localities where the statistics were not withdrawn, as above noted, the returns have been collected by enumerators.

In the case of the following industries, special reports will be made by expert special agents charged with this duty, as noted in each case: chemical industry; clay and pottery products; coke and glass; cotton goods; distilled spirits used in the arts, manufactures, and medicine; electrical apparatus and appliances; their manufactures and uses; manufactured gas; iron and steel; mixed textiles; printing, publishing, and the periodical press; salt; shipbuilding; silk and silk goods; wool and worsted.

Special schedules have been prepared for each of the following industries, covering the general and technical details relating to each, which manufacturers engaged therein regarded as best adapted to elicit accurate information as to the existing conditions:

- No. 1. Agricultural implements.
- " 2. Paper mills.
- " 3. Boots and shoes.
- " 4. Leather, tanned and curried, including morocco leather.
- " 5. Lumber mills and saw mills.
- " 6. Brick yards.
- " 7. Flour and grist mills.
- " 8. Cheese, butter, and condensed milk factories.
- " 9. Slaughtering and meat packing.
- " 10. Chemical manufactures.
- " 11. Clay and pottery products.
- " 12. Coke.
- " 13. Cotton manufactures.
- " 14. Dyeing and finishing of textiles.
- " 15. Electrical industry.
- " 16. Glass.
- " 17. Manufactured gas.

No. 18. Iron and steel.

- " 19. Printing, publishing, and the periodical press.
- " 20. Ship-building.
- " 21. Silk and silk goods.
- " 22. Wool manufactures.
- " 23. Hosiery and knit goods.
- " 24. Carriages and wagons.
- " 25. Salt works.
- " 26. Leather, patent and enameled.

Supplemental—distilled spirits used in the arts, manufactures and medicine.

In the case of all industries for which special schedules have not been provided, as above set forth, a general schedule of questions has been prepared, with a view to collecting data which will clearly show the general characteristics of each branch of manufactures to be reported on the general schedule.

A number of bulletins have been issued from this division, and I especially call attention to the one relating to the lumber interests of the three northwestern lumber states as a sample of excellent statistical work. [Extra Bulletin No. 5.]

Before the year closes a quarto volume of about twelve hundred pages, with illustrations and maps, will be issued from the Government Printing Office, and it will speak more eloquently than I can for the branch of the work relating to the mineral resources of the United States. This report has been prepared under the direction of Dr. David T. Day, and consists of papers from the following well-known experts:

Subject.	Author.	Number of Pages.
Manganese, Petroleum and Natural Gas.....	Joseph D. Weeks.....	164
Gold and Silver	Richard P. Rothwell.....	124
Coal.....	John H. Jones.....	80
Stone.....	William C. Day.....	68
Quicksilver.....	James B. Randol.....	66
Antimony, Asphaltum, Ozocerite, Gypsum, Infusorial Earth, Corundum, Millstones, Whetstones, Asbestos, Graphite, Soapstone, Barytes, Ocher, Fluorspar, Lithographic Stone, Sulphur, and Pyrites. }	E. W. Parker.....	60
Iron Ores.....	John Birkinbine.....	28
Copper, and Lead and Zinc.....	Charles Kirchhoff.....	20
Precious Stones	George F. Kunz	10
Phosphate Rock.....	Edward Willis.....	10
Aluminium.....	R. L. Packard.....	8
Mineral Waters.....	Albert C. Peale.....	8
Mica.....	L. J. Childs.....	4
Marl.....	Jefferson Middleton	2
Tin, Nickel and Cobalt, Chromic Iron Ore, Platinum, and Iridium, }		18

From a statistical point of view we have undoubtedly made a decided step in advance in this branch of Census work. The increase during the decennium of the number of persons employed, quantity of product, and value of product, indicate that the work has been thoroughly done. The favorable reception of the bulletins by the scientific journals of this country and Europe has been alike gratifying to the experts in direct charge of the work and to the Census Office.

In the inquiry relating to fish and fisheries, we started with what is known as "a comprehensive plan," and came near going to pieces on that rock. It was intended that the inquiries should be more numerous and far-reaching than had been used in any previous Census. After a while, however, some changes were made

and the division put on a more practical basis. The present plan, and the one that will be carried out, in fact is being carried out, is the preparation and publication of fifteen reports, as follows:

1. Marine mammalia.
2. Fisheries of the Pacific coast.
3. Fisheries of the Great Lakes.
4. The Gulf fisheries.
5. The New England fisheries.
6. The South Atlantic fisheries.
7. The fisheries of the Middle states.
8. Carp culture in the North Atlantic states.
9. Carp culture in the South Atlantic states.
10. Carp culture in the South Central states.
11. Vessels engaged in the fisheries.
12. Carp culture in the Western states.
13. Carp culture in the North Central states.
14. Bulletin relating to the edible qualities of carp.
15. The inland fisheries of the United States.

Some of these reports are published, and others are now in type. The Fish Commission is giving the Census Office its hearty co-operation, and while the inquiry may have lost some of its original comprehensiveness and scope, it will have gained in statistical completeness and economic value.

Railroads, lake, ocean, river and canal transportation, express business, and street railroads comprised one division of the work of the Census Office, and under the direction of Prof. Henry C. Adams, of Ann Arbor, we may expect most valuable results. Part of this work is now ready for the final volume, and all of it will be ready for the printer this year. We shall have complete railroad statistics for the ten years ended 1889, termed the decennial work, and we shall have likewise the complete work for the year ended June 30, 1890. For the first time we have gone into the question of street railways, with some marvelously interesting and valuable results. The same is true of the express business.

The attempt to secure statistics of transportation by water has been made for the first time by the Eleventh Census, so that the work must be largely considered experimental. That there existed an exceedingly large amount of information relative to transportation by water I am well aware, but when it came to securing and formulating that information we are met with those difficulties which always attach themselves to experimental work. What was sought for was the necessary figures and facts of equipment, tonnage, value, and ownership; the returns of trips made during the census year; the freight carried both in bulk and in detail of commodity; where that freight was carried to and the number of miles covered in such transportation; the expenses and profits of the work of transportation, and a particular account of the officers and crew employed, with the wages paid and length of employment. In fact, everything was sought for that would enable the Census Office to furnish a complete presentation of all that was worth knowing concerning the industry of transportation by water as conducted by American craft. These statistics, it should be understood, do not only refer to the vessels engaged in the freight and passenger traffic, but they cover every class of floating construction, from the push boat on the Little Kanawha to an Atlantic liner, and from a barge on the Dismal Swamp canal to a steamer trading with the Orient.

In order to secure this information, complete lists were made of every class of vessels; over 40,000 schedules of inquiry were sent out by an organized force of clerks to the various vessel owners; incorrect or insufficient returns were remedied whenever possible by correspondence; and wherever these means were found insufficient special agents were dispatched to work in the field.

The work of gathering the information was closed in July last, and since that time experts have been employed in segregating and compiling the vast amount of unclassified information. Some idea of the progress of the work may be gathered from the bulletins already published on the subject.

As in the transportation statistics we have given the statistics of the fire, marine, and inland insurance companies for ten years. The work is all completed. Of the old line life insurance companies, the statistics have been gathered and the data prepared for the census year, and the results are in process of tabulation. The statistics of the assessment and co-operative insurance companies (fire and life), the fraternal and independent beneficiary organizations, miscellaneous insurance companies, and the fire department and water supply of the United States have also been gathered. This work has been in charge of the expert who prepared the data ten years ago, and will be completed during the coming year.

The work of taking the census of Alaska and of the Indians has been prosecuted successfully. The final report on the Indians is now ready for the printer, and the report on Alaska will be finished in December, all the material having been collected.

The census of the Indians embraced two propositions, as called for in the act authorizing the present census the first was their enumeration; the second, a report on their condition. A bulletin, No. 25, was issued as early as January 29, 1891, giving the approximate census. For the enumeration of fifty-three reservations, the United States Indian agents were appointed enumerators. A corps of special agents was also appointed, who visited each reservation, and saw that the census was properly taken or had been, and made a report on the condition of the Indians of each reservation.

The five civilized tribes were enumerated by Indian and white enumerators under the charge of a special agent for each of the tribes, who also reported on their condition. A very large white and colored population was found in the five tribes, equal to that of several of the smaller states of the Union. The Six Nations of New York were enumerated and reported by a special agent. This work required almost eleven months. The Cherokees of North Carolina were also enumerated by a special agent. The Moqui Pueblos and Pueblos were also

specially reported on. A series of illustrations were made with brush and pencil, and also by the aid of the camera, which will give an exhaustive idea of the actual condition of the Indians in 1890. Seven artists of standing were appointed special agents, who contributed much toward making this Census a success. The Indians taxed, or those living off a reservation, or out of tribal relations, were also enumerated by the regular enumerators. The enumeration of the Indians included some 30 states and territories, and beside employing some hundreds of the regular enumerators, there were 94 Indian agent enumerators and special agents in the service. The work was a serious problem, but under the able direction of Thomas Donaldson, Esq. has been satisfactorily completed to the point of publication. Four extra bulletins are now under way.

The list of names of all tribal Indians (excepting those of two tribes) is for the first time in any census in the Census Office, and in many cases both the Indian and the white names are given. The scope of the work was large, but practical, and the result has been satisfactory thus far. It embraces age, wealth, resources, and all items of an economical nature. The schedules for Indian enumeration were quite different from those used in other census work, being more simple.

Besides a complete enumeration of the Alaskan population, Mr. Petroff, who again undertook the Alaskan work, will give an exhaustive review of Alaskan commerce, and I have obtained a number of excellent monographs, written by intelligent residents of Alaska, descriptive of their sections of the territory. The statistics of fisheries and of mining have also been collected. The entire report will be both reliable and interesting.

Having rapidly passed over the main features of the administration and organization of the Census Office, and having pointed out wherein the Eleventh differs from previous censuses, I will close with a brief summary of these differences, and a plea for a permanent Census Bureau. The Eleventh Census will be more

statistical and deal less with our latent resources and the technology of our industries than the Tenth did. It includes in its scope several new features, such as the investigation into private and corporate indebtedness, the special inquiry relating to the soldiers of the late war and the widows of veterans. Several new questions were added to the population schedule, which, as I have shown, will throw light upon important questions. A report has been made upon the condition of the Indians, and valuable reports on the statistics of education, churches, and the fisheries are nearly completed. To this extent we have undoubtedly taken a decided step ahead of other censuses. The population work has been strengthened. I have no reason to doubt that the enumeration of the people was fully equal to the enumeration of the Tenth Census, and that enumeration could not be excelled under the present system. The tabulation, as I have shown at length, has been improved, and the classification greatly extended. Facts were collected in 1870 and 1880, but never tabulated; but their counterpart to date will find their way into the current volumes. As five-sixths of all my experts and chiefs had experience in the Tenth Census, the office has benefited by their experience. In the special work, healthy statistical advancement has been made all along the line. We did not attempt the impossible. We reduced the number of questions whenever practicable. We confined ourselves strictly to the salient points. We did not try to be too original. We were not too proud to take up the plans where our brethren of the Tenth Census laid them down. We did not enlarge the scope, but often condensed it. In this way we strengthened our vital statistics by the five-year registration work; we made it possible to secure correct schedules of the special classes by institution enumerators; we brought the electrical tabulation, as Mr. Wines has shown us, to bear on the statistics of crime, pauperism, and benevolence; we discarded all but the essential questions in the educational schedules; we reduced the work relating to religious bodies to a point where the preachers and ecclesiastical

officers would answer the questions; we strengthened the wealth, debt, and taxation work at every point; we added several new and important inquiries to the agricultural and horticultural statistics, and included subjects omitted by all previous censuses; we trebled the number of places in which the manufacturing statistics were withdrawn from the enumerators and placed the collection in the hands of competent special agents, paid by the day, and brought every expert under the control of a central head at Washington, so there could be no over-lapping; we applied the same method to the statistics of the mineral resources; we made the inquiry relating to fish and fisheries more statistical; we added several new and important features to the statistics of transportation; we included the ten years' work and the fraternal and independent beneficiary assemblies in the insurance branch; we made a complete report of the condition of all the Indians, and we have kept up the reputation of the Tenth Census on the report on the population and wealth of Alaska. And with all these inquiries the word failure cannot be applied to one investigation.

Having done all this, and feeling, as we do, proud of some of our achievements, I give you the honest judgment of my co-laborers when I say that much more remains to be done—that many imperfections exist. These imperfections are not the result of dishonest work, of incompetent work, of slovenly work; they are the result of the system under which the census is taken. Time enough is not allowed to start the machinery of this tremendous inquiry, embracing, as I have shown you, so many subjects and such infinite detail. We have work here, which, if properly done, would be sufficient to make a life study for thirty or fifty of our brightest specialists, literally dumped upon the shoulders of a man drawn from other occupations of life, and instructed by act of Congress to raise an army of sixty thousand raw recruits and complete the task. If he takes time to do it, the public becomes impatient and declares it drags everlastingly. If he puts it through rapidly, croakers rise up all over the land and declare the work

cannot be correct. The remedy for all this is a permanent Census Bureau, and already the intelligent public sentiment of all political parties is crystallizing in this direction. People are beginning to realize that the faults and errors of this Census are not the shortcomings of any one man, but of a system.

In accordance with a resolution of the Senate I am preparing a report and bill for a permanent Census Bureau, which, if enacted, will remedy much of the decennial census trouble, and put a great public work on a business basis. Such a Bureau would not only be an immense saving to the government, especially since the introduction of mechanical tabulation, but it would keep active and competent minds continually working out improvements in census methods; it would keep together a nucleus of trained census clerks and capable mathematicians; it would admit of certain branches of work being done annually at a cost of a few million circulars and a small amount expended for tabulation; it would give sufficient time to perfect the work of enumeration, and it would give general satisfaction to all who are earnestly in search of correct statistics of our nation's population and wealth. As statisticians, I hope you will help this idea along. It is growing with our statesmen. It is not a party question, and its success will be beneficial to all people.

APPENDIX.

BULLETINS THAT HAVE BEEN PUBLISHED OR WILL BE PUBLISHED BY THE CONVENING OF CONGRESS IN DECEMBER.

SUBJECTS.	Number.
AGRICULTURE :	
Viticulture.....	38
Truck Farming.....	41
Commercial Floriculture.....	59
Nurseries.....	109
Seed Farms.....	111
Production of Hops	(a)
Horses, Mules, and Asses on Farms.....	103
Live Stock on Ranges.....	117
Irrigation in Arizona.....	35
Irrigation in New Mexico.....	60
Irrigation in Utah.....	85
Irrigation in Wyoming.....	107
Tobacco.....	Extra No. 13
ALASKA :	
Letter of Ivan Petroff on Census of.....	15
Population of Alaska.....	30
Wealth and Resources of.....	39
CHURCHES :	
United Presbyterian of North America, Church of the New Jerusalem (Swedenborgian), Catholic Apostolic, Salva- tion Army, Advent Christian, Evangelical Adventist, Life and Advent Union (Adventists), Seventh-day Baptists, Seventh-day Baptists. (German), General Six	18

(a) Number not yet determined.

SUBJECTS.	Number.
CHURCHES—Continued :	
Principle Baptists, Christian Church South, Schwenkfeldians, Theosophical Society, and Brethren in Christ (River Brethren).	
Cumberland Presbyterian, Church of Jesus Christ of Latter-day Saints (Mormons), Reformed Episcopal, Unitas Fratrum or Moravian, German Evangelical Synod of North America, German Evangelical Protestant of North America, and Plymouth Brethren.	70
Roman Catholic, Greek Catholic (Uniates), Russian Orthodox, Greek Orthodox, Armenian, Old Catholic, and Reformed Catholic.	101
Mennonite, Bruderhof Mennonite, Amish Mennonite, Old Amish Mennonite, Apostolic Mennonites, Reformed Mennonite, General Conference Mennonite, Church of God in Christ, Old (Wisler) Mennonites, Bundes Conference der Mennoniten Bruder-Gemeinde, Defenceless Mennonites, Mennonite Brethren in Christ, Brethren or Dunkards (Conservative), Brethren or Dunkards (Progressive), African Methodist Episcopal, Wesleyan Methodist Connection, African Union Methodist Protestant, Independent Churches of Christ in Christian Union, Temple Society, Church of God, Reorganized Church of Jesus Christ of Latter-day Saints, Society of Shakers, Amana Society, Bruderhof Mennonite Society, Harmony Society, Society of Separatists, New Icaria Society, and Society of Altruists.	131

EDUCATION :

Preliminary Statistics for Louisiana, New Hampshire, Wisconsin, and cities of 10,000 inhabitants and over; also, Mormon schools in Arizona, Idaho, and Utah.	17
--	----

SUBJECTS.	Number.
EDUCATION—Continued :	
Statistics for Arizona, California, Connecticut, District of Columbia, Maine, Maryland, Massachusetts, Montana, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Wyoming, and eighty-three cities.	36
Statistics for Alaska, Arkansas, Delaware, Illinois, Iowa, Michigan, Minnesota, Mississippi, New Mexico, New York, North Dakota, Oregon, Texas, Utah, Washington, West Virginia, and forty-two cities.	53
Statistics for Alabama, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Missouri, Nebraska, Nevada, New Jersey, Tennessee, and one hundred and five cities.	84
School Enrollment	Extra No. 11
FARMS, HOMES, AND MORTGAGES :	
Letter to Secretary of the Interior on.	5
Alabama and Iowa.	Extra No. 3
Kansas.	Extra No. 14
Tennessee.	Extra No. (a)
FISHERIES :	
List of Products of.	2
Marine Mammalia.	123
GEOGRAPHICAL :	
Supervisors' Districts.	1
Names and Addresses of Supervisors'.	4
Areas of States and Counties.	23
Center of Population.	34
Population by Drainage Basins.	47
Population with Reference to Mean Annual Temperature.	33
Population in Accordance with Mean Annual Rainfall.	32
Population in Accordance with Mean Relative Humidity.	44

(a) Number not yet determined.

SUBJECTS.	Number.
GEOGRAPHICAL—Continued :	
Population in Accordance with Latitude and Longitude..	63
Population in Accordance with Topographical Features...	65
Population in Accordance with Altitude.....	89
Increase and Decrease of Population..... Extra No. 1	
Density of Population..... Extra No. 2	
INDIANS :	
In the United States (except Alaska) Taxed or Taxable and Untaxed.....	25
INSURANCE :	
Alabama to Florida..... Extra No. 6	
Georgia to Maine..... Extra No. 7	
Maryland to New Hampshire Extra No. 8	
New Jersey to Tennessee..... Extra No. 9	
MANUFACTURES :	
Cities and Towns in which Statistics will be collected by Special Agents.....	3
Production of Pig Iron.....	9
Production of Steel.....	13
Distilled Spirits used in the Arts, Manufactures, and Medicine.....	22
Statistics of District of Columbia..... (a)	
Lumber and Saw Mills..... Extra No. 5	
MINES AND MINING :	
Quicksilver Mines and Reduction Works	10
Precious Stones and Diamond Cutting.....	49
Production of Slate.....	8
Production of Granite in the United States.....	45
Production of Mica.....	61
Production of Manganese Ores.....	68

(a) Number not yet determined.

SUBJECTS.	Number.
MINES AND MINING—Continued :	
Production of Bluestone.....	71
Production of Sandstone.....	73
Production of Petroleum.....	76
Production of Limestone.....	78
Production of Aluminium.....	79
Production of Lead and Zinc.....	80
Production of Copper.....	96
Production of Iron Ore.....	113
Minor Mineral Industries.....	75
Anthracite Coal Fields of Pennsylvania	20
Production of Coal in Maryland	26
Production of Coal in Alabama.....	27
Production of Coal west of the Mississippi.....	43
Production of Bituminous Coal in Pennsylvania	67
Production of Coal in Illinois, Ohio, Indiana, and Michigan	74
Coal product of West Virginia, Kentucky, Tennessee, Virginia, Georgia, and North Carolina.....	94
Mineral Waters..... Extra No. 4	
Coal Production..... " " 10	
Marble Quarrying Industry—Monograph.....	
PAUPERISM AND CRIME :	
Convicts in Penitentiaries.....	31
Sentences of Convicts in Penitentiaries.....	106
Inmates of Juvenile Reformatories.....	72
Paupers in Almshouses.....	90
Prisoners in County Jails.....	95
POPULATION :	
First Count—62,480,540.....	12
Official Count—62,622,250.....	16
By Race in the South and in California.....	48
Of Cities having 8,000 Inhabitants or over.....	52

(a) Number not yet determined.

SUBJECTS.	Number.
POPULATION—Continued :	
North and South Atlantic Divisions	37
North Central Division	40
South Central and Western Divisions	42
Urban Population, Extra No. 12	
Minor Civil Divisions :	
Alabama	(a)
Arizona	93
Arkansas	112
California	(a)
Colorado	127
Connecticut	58
Delaware	57
Florida	(a)
Georgia	124
Idaho	86
Illinois	(a)
Indiana	108
Iowa	99
Kansas	114
Kentucky	(a)
Louisiana	(a)
Maine	56
Maryland and the District of Columbia	(a)
Massachusetts	24
Michigan	97
Minnesota	(a)
Mississippi	125
Missouri	119
Montana	(a)
Nebraska	126
Nevada	87

(a) Number not yet determined.

SUBJECTS.	Number.
POPULATION—Continued :	
Minor Civil Divisions—Continued :	
New Hampshire	21
New Jersey	69
New Mexico	(a)
New York	116
North Carolina	122
North Dakota	(a)
Ohio	121
Oklahoma	(a)
Oregon	(a)
Pennsylvania	105
Rhode Island	50
South Carolina	77
South Dakota	(a)
Tennessee	(a)
Texas	(a)
Utah	118
Vermont	51
Virginia	83
Washington	110
West Virginia	102
Wisconsin	91
Wyoming	92
TRANSPORTATION :	
Rapid Transit in Cities of over 50,000 Inhabitants	11
Freight Traffic on the Great Lakes	28
Floating Equipment on the Great Lakes	66
Changes in Floating Equipment on the Great Lakes since 1886	29
On the Ohio river and its tributaries above Cincinnati	88
By water on the Pacific coast, considered as an Industry ..	(a)

(a) Number not yet determined.

SUBJECTS.

Number.

TRANSPORTATION—Continued:

Relative Economy of Cable, Electric and Animal Motive	
Power for Street Railways	55
Railways—Group I: New England States	46
Railways—Group II: New York, New Jersey, Pennsylvania, Delaware, Maryland, and part of West Virginia.	115
Railways—Group III: Ohio, Indiana, Southern Peninsula of Michigan, and parts of Pennsylvania and New York.	120
Railways—Group IV: Virginia, West Virginia, North Carolina and South Carolina.....	(a)

VITAL STATISTICS:

Vital Statistics of the Jews.....	19
Social Statistics of Cities.....	100
Asylums for the Insane.....	62
Asylums for the Blind	81
Schools for the Deaf.....	(a)

WEALTH, DEBT AND TAXATION:

Financial Condition of Counties.....	6
State Indebtedness: 1890 and 1880.....	7
Financial Condition of Municipalities (withdrawn from circulation).....	14
Foreign, National, State and County Indebtness	64
Assessed Valuation of Property.....	104
Receipts and Expenditures of 100 Cities.....	82
Public School Finances in Arkansas, California, Connecticut, Idaho, Kansas, Louisiana, New Hampshire, North Carolina, Vermont and Washington.....	54
Public School Finances in Georgia, Illinois, Maryland, Michigan, Minnesota, Mississippi, Nevada, North Dakota, Rhode Island, South Carolina and Wisconsin.	98
Public School Finances in Alabama, Colorado, Florida, Massachusetts, Montana, Nebraska, Ohio, Oregon, Tennessee and Utah.....	(a)

(a) Number not yet determined.

PAYMENT OF INDIAN DEPREDATION CLAIMS.

HEARING

BEFORE THE

U. S. SENATE COMMITTEE ON INDIAN AFFAIRS

(THE HOUSE OF REPRESENTATIVES COMMITTEE ON INDIAN AFFAIRS BEING PRESENT BY INVITATION),

FRIDAY, DECEMBER 16, 1892,

ON THE SUBJECT OF

THE PAYMENT OF INDIAN DEPREDATION CLAIMS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1892.

HEARING BEFORE THE SENATE COMMITTEE ON INDIAN
AFFAIRS.

STATEMENT OF HON. JOHN W. NOBLE, SECRETARY OF THE IN-
TERIOR.

MR. CHAIRMAN AND GENTLEMEN: I have appeared before the joint committee for the purpose of expressing to you my interest as an officer, having more immediate control of the Indians, in the payments to be made upon judgments of the Court of Claims for depredations committed heretofore by the several tribes, and to present to the committee some statistics in relation to these claims, and certain suggestions that I think timely. I shall leave it to the chairman of the Cherokee commission, Governor Jerome, and his associate, Judge Sayre, to explain these matters more at length, and I am glad to have present with us also the honorable Secretary of the Treasury, who was a member of the Sioux Commission, and thus has become interested in the general question as to how the payment of these claims ought to be made. The occasion for this interest being greater at this time arises from the fact that by recent act of Congress the Court of Claims has been given jurisdiction to adjudge these depredation claims that have arisen against the various tribes from the beginning to the present time, and is proceeding vigorously in the investigation and consequent rendition of judgments; while at the same time there have also recently been purchased from many different tribes lands for which the Commissions, appointed to negotiate with them, have promised large sums of money that are either being paid to them in hand or deposited in the Treasury for their benefit. The statute in regard to these judgments requires that they should be paid as follows:

SEC. 6. That the amount of any judgment so rendered against any tribe of Indians shall be charged against the tribe by which, or by members of which, the court shall find that the depredation was committed, and shall be deducted and paid in the following manner: First, from annuities due said tribe from the United States; second, if no annuities are due or available, then from any other funds due said tribe from the United States, arising from the sale of their lands or otherwise; third, if no such funds are due or available, then from any appropriation for the benefit of said tribe, other than appropriations for their current and necessary support, subsistence, and education; and fourth, if no such annuity, fund, or appropriation is due or available, then the amount of the judgment shall be paid from the Treasury of the United States; *Provided* That any amount so paid from the Treasury of the United States shall remain a charge against such tribe and shall be deducted from any annuity, fund, or appropriation heretofore designated which may hereafter become due from the United States to such tribe.

Many of the tribes against whom judgments are entered have not yet advanced far enough or had their lands in severally long enough

to be able to live by their own labor and the products of the soil; they are dependent in a large degree upon the money thus provided for them—the annuities arising from their trust funds—and upon the rations of the Government. If the money necessary to pay the judgments upon those claims is taken from the Indians, upon the order of the Secretary of the Interior, the result must be a rapid diminution of their resources in money, which they will immediately feel. Most of the depreciation claims upon which these judgments are being rendered have come down from many years past, some having originated as early as 1812; a million or more having accrued in 1835; a million and a quarter, at least, in 1861, and as much more in 1862, and nearly a million and three-quarters in 1864, and more than two millions in 1866; and with very large sums during each of the intermediate years and subsequently; so that there were pending when the reference was made to the Court of Claims claims to the number of nearly 8,000 and aggregating in the amount demanded over \$25,500,000. The trust funds of all the tribes other than the five civilized tribes amount to \$16,246,000 and over, so that it appears at a glance that it will take far more than the trust money of the Indians to pay any considerable percentage of the amount of claims pending against them. A large part of these claims is against the tribes the least able to sustain the loss, as, for instance, against the Comanches there are 1,300 claims, aggregating over \$4,000,000; against the Apaches over 900, aggregating \$4,000,000; against the Cheyennes over 600, aggregating over \$2,000,000; and against the Sioux 670, aggregating nearly \$3,000,000.

I had the honor to present to the Congress of the United States on June 24, 1892, a letter in which was set forth the claims for the different years, with the amounts thereof, the trust funds of the different tribes, and a separate statement of each of the claims against the several tribes. At that time there had been rendered already judgments in the Court of Claims for very considerable sums, amounting to \$479,067.62, as appeared from the report of the Attorney-General to the President of the Senate, of July 7, 1892. In my letter I stated that:

In view of the daily adjudications of the Court of Claims against the tribes, and the necessary applications of the moneys of these tribes to the payment thereof, I deem it my official duty to express my anxiety lest this may soon lead to commotion and eventual outbreaks. In my judgment, a discretion as to immediate payment of these judgments should be vested in some executive officer.

I therein submitted an amendment which has been substantially incorporated in an appropriation that was made to pay the judgments, rendered to the amount just mentioned. As to that particular appropriation it was provided as follows:

SEC. 5. For payment of judgments of the Court of Claims in Indian depreciation cases, four hundred and seventy-eight thousand two hundred and fifty-two dollars and sixty-two cents, or so much thereof as may be necessary to pay and discharge such judgments as have been rendered against the United States, after the deductions required to be made under the provisions of section six of the act approved March 3, 1892, entitled "An act to provide for the adjustment and payment of claims arising from Indian depreciations," shall have been ascertained and duly certified by the Secretary of the Interior to the Secretary of Treasury, which certification shall be made as soon as practicable after the passage of this act, and such deductions shall be made according to the discretion of the Secretary of the Interior, having due regard to the educational and other necessary requirements of the tribe or tribes affected, and the amounts paid shall be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian service.

In the exercise of the discretion vested in me I have paid all of the \$479,000 to the different parties entitled thereto, and directed that the same should "be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian service," except in the case of the Osages who have large amounts of money to their credit.

For the time being this action relieved the situation, but we are now approaching a similar condition, for the Court of Claims, since June 30, 1892, has rendered other judgments (a list of which is hereto annexed) against the different tribes to the amount of \$91,828.86 and is still proceeding to render more. These judgments against the Sioux now amount to \$11,577.25; against the Cheyennes and Arapahoes, \$19,906.99; and against the Kiowas and Comanches, \$7,776.

These depreciations were committed by a former generation of the Indians of the different tribes. They have long slept, and substantially have been forgotten by the Indians, and we might also say, moreover, forgotten by our own country for many years, because, although adjusted by the Commissioner of Indian Affairs, and approved in many instances by the Secretary of the Interior, and certified to Congress, for nearly twenty years no action was taken upon them. They are now coming out of the Court of Claims in judgments for the whole accumulated sum of these many years, making the aggregate of money to be paid so vast that it will suddenly and irretrievably strip from the Indians the resources of their trust funds, and the consideration paid to and to be paid for their lands promised them of recent date, unless Congress will again make an appropriation to enable the Secretary to pay the claims and hold the Indian funds responsible hereafter.

It has been my thought that the time for the repayment to the United States would be when the Indians had so far advanced on the path of civilization and productive industry as to become entitled to the reserves in the treasury. Then we might take from them what they have justly incurred for their depreciations to reimburse the United States and at the same time avoid inflicting upon them injuries from which they could not recover. To take the money from them just now, when these tribes have recently been promised the amounts for their lands, would be looked upon then, certainly, as an act of bad faith. They were given to understand in each instance that if they sold their lands they should receive the money. Nothing was said about depreciation claims, or if anything was said they were assured it would not be taken for this purpose. It would be, it seems to me, not only impolitic now, but dangerous to apply the money, for instance of the Cheyennes and Arapahoes, recently promised them, to pay such vast sums as are being adjudged against them. It would be likewise deemed intolerable by the Kiowas to have their money taken, and I am quite confident it would be looked upon as an act of bad faith by the Sioux if the money set apart for them were appropriated for the payment of these creditors.

The CHAIRMAN. Do you understand, when these commissioners make an agreement with the Indians to purchase of them a tract of land and agree to give them a certain sum of money to be used in a specific manner, that agreement being subsequently ratified by Congress, that it is possible for us to take that fund and devote it to the payment of damages arising from these depreciations?

Secretary NOBLE. Not at all. I think it is an appropriation of the money, is a part of the contract, so that it would have to take the course designated.

The CHAIRMAN. That would seem to be very clear to me as to all contracts ratified after the depredations act was passed; but how about agreements that were ratified before that? Do you think the depredations act would authorize the defeat of a specific trust?

Secretary NOBLE. In my judgment there would be no such authority on the part of the Government, after contract made with an Indian tribe that certain money should be paid to them or for them in a certain way.

The CHAIRMAN. Take the Osages, for instance, who have a large trust fund which the Government holds for a specific purpose, and suppose a depredation case arose against that tribe; do you think that law would authorize the application of a portion of that trust fund to the payment of that depredation claim?

Secretary NOBLE. I was speaking more particularly, Mr. Chairman, with reference to contracts made for the purchase of lands. In relation to a large trust fund like that of the Osages, established years ago, I would have to have the circumstances of the particular case before me in order to decide properly. I believe that if an Indian tribe has a large fund in the hands of the Government, that is not absolutely necessary to the existence of that tribe or concerning which it has not made an express agreement that it shall be applied as a consideration for something, it would be within the power of the United States to apply it in payment of a tribal debt; but I would not answer as to the Osages without a consideration of their case.

Since you have brought that matter up, I want to say that, in administering the Department which has jurisdiction over these Indians, with whom there is more or less trouble all the time, I have considered it my duty to exercise such discretion in the application of any of these moneys, even without legislation, as would not bring on an Indian war that would be more expensive than the whole amount of any claim of that kind that could be adjudged. It therefore becomes a question of judgment as to how far you can go. The fair understanding between the parties is that which should be consummated between the Government and the Indian tribes.

One of the commissioners has suggested to me a question with which you may have to deal, and so I will present it, though I do not know but he can present it better. I do not know whether he feels like doing so; I do. You have elevated these Indians, the Cheyennes and Arapahoes, into citizenship, by virtue of these allotments. They have the same right in every particular, according to the act which goes by the name of your honorable chairman (the Dawes act), as any other citizens of our country. How is it that you are hereafter or are now proceeding to render judgments against them in the Court of Claims in cases where they are not parties individually and yet where they have a distinct interest in the particular fund?

Another point upon which I desire to address you is the condition of the Cherokee Commission. That commission has concluded its labors as to the more immediate business brought before it, but there are a few tribes in the Cherokee Outlet that are yet to be negotiated with for the purchase of their lands. The Choctaws, Chickasaws, Cherokees, and Seminoles in the Indian Territory have vast bodies of land which the United States may or may not desire to purchase. But these smaller tribes in the Cherokee Outlet must certainly be dealt with at as early a day as possible for the purpose of having them surrender their surplus lands and take lands in severalty.

The CHAIRMAN. What tribes are those?

Secretary NOBLE. They are the Pawnees, Poncas, Osages, Kaws, Otoes and Missourias, small tribes holding very small reservations, but which, unless they are disposed of, would be an obstacle to the advancement of white settlement through at least that portion of the outlet or strip. I want merely to draw your attention to that fact so that you may, if this commission is to go on with its work, recommend the necessary appropriation. It is a matter upon which I make no recommendation further than to suggest to you that it ought to be disposed of. As you are aware, the commission has been very industrious, has done a vast amount of work, and brought to the attention of Congress a number of agreements upon which Congress has acted in part, and in part is still considering.

The exhibits presented by the Secretary are as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 24, 1892.

SIR: The condition of affairs that confronts this Department upon an endeavor to carry out the provisions of "An act to provide for the adjudication and payment of claims arising from Indian depredations, approved March 3, 1891" (26 Stat., 351), requires, in my judgment, early consideration by Congress.

In my annual report I called attention to the amount of these claims as reported by the Commissioner of Indian Affairs; they aggregate in number 7,985, and amount to \$25,589,006. The following table shows the amounts claimed from the several tribes:

Tribes.	No.	Amount.	Tribes.	No.	Amount.
Comanche.....	1,367	\$4,056,639	Cow Creek.....	25	\$20,151
Apache.....	986	4,188,490	Ponca.....	25	38,022
Creek.....	965	1,195,978	Pottawatomie.....	23	7,887
Cheyenne.....	653	2,394,382	Oregon.....	29	132,019
Sioux.....	679	2,900,415	Sac and Fox.....	20	270,145
Navajo.....	645	2,382,109	Yakama.....	29	85,783
Chippewa.....	334	1,447,592	Wichita.....	17	6,921
Kiowa.....	187	164,825	Crow.....	18	35,679
Pawnee.....	170	216,170	Puyallup.....	12	14,145
Osage.....	169	227,115	Quana.....	11	4,467
Nor. Peoria.....	161	365,588	Modoc.....	11	34,259
Ute.....	157	525,235	Cayuse.....	12	45,050
Rogue River.....	137	434,796	Sicstone.....	11	57,997
Bannack.....	134	375,028	Cabito.....	12	37,240
California Indians.....	154	984,098	Walla Walla.....	9	67,253
Arapaho.....	70	297,398	Coeuille.....	7	12,027
Nisqually.....	65	118,109	Squamiah.....	7	3,676
Winchago.....	58	75,251	Pima and Maricopa.....	6	9,752
Keechie.....	52	55,365	Flatheads.....	6	11,505
Kiklatat.....	50	138,678	Monmonies.....	6	6,840
Washington Indians.....	48	84,597	Hualapais.....	6	53,819
Blackfeet.....	41	217,701	Otoe.....	5	3,564
Kansas or Kaw.....	36	65,281	Elkha.....	3	398
Pintos.....	41	368,315	Iowa.....	3	352
Cherokee.....	30	85,520	Prairie Indians.....	3	13,225
Southern refugee Indians.....	30	6,159	Lipan.....	10	52,050
Kickapoo.....	53	362,351	Pond d'Oreille.....	3	1,740
Suakoe.....	29	151,318			
	7,434	23,726,322		321	1,029,398
				7,434	23,726,322
Miscellaneous and unknown tribes.....				7,755	24,755,711
Committed by white persons, including United States soldiers, emigrants, and rebels.....				142	516,399
				88	322,936
Total.....				7,985	25,589,006

PAYMENT OF INDIAN DEPRECIATION CLAIMS.

Years in which the depreciations were committed.

Year.	No.	Amount.	Year.	No.	Amount.	Year.	No.	Amount.
1812.....	1	\$7,548	1832.....	79	\$244,340	1873.....	144	\$405,303
1821.....	1	5,770	1834.....	87	326,298	1874.....	134	258,511
1822.....	2	235	1835.....	220	722,519	1875.....	65	167,801
1823.....	4	1,155	1836.....	221	602,478	1876.....	45	145,269
1824.....	2	2,381	1837.....	131	390,201	1877.....	191	419,575
1825.....	25	11,206	1838.....	158	317,560	1878.....	305	667,435
1826.....	975	1,150,386	1839.....	191	408,861	1879.....	80	166,598
1827.....	20	876	1840.....	211	596,178	1880.....	250	244,056*
1828.....	8	1,322	1841.....	182	1,275,152	1881.....	118	249,146
1829.....	2	1,815	1842.....	363	1,249,918	1882.....	41	109,418
1830.....	3	261,240	1843.....	147	457,294	1883.....	13	29,481
1831.....	3	4,205	1844.....	300	1,763,294	1884.....	24	126,946
1832.....	13	1,865	1845.....	320	1,619,216	1885.....	88	118,207
1833.....	4	68,806	1846.....	403	2,137,600	1886.....	17	39,675
1834.....	65	223,000	1847.....	441	1,962,570	1887.....	12	14,171
1835.....	29	148,393	1848.....	346	1,898,298	1888.....	9	8,786
1836.....	32	222,054	1849.....	371	650,141	1889.....	9	1,966
1837.....	68	244,727	1850.....	205	613,157	1890.....	5	1,966
1838.....	6	181	1851.....	185	650,925			
1839.....	4	341,428	1852.....	270	606,248			
	1,942	2,917,725		5,103	18,342,042			
Total.....							7,985	25,589,006

Trust funds of tribes other than the five civilized tribes.

Tribes.	Principal.	Tribes.	Principal.
Cheyennes and Arapahoes.....	\$1,000,000.00	Sac and Fox of the Missouri.....	\$21,630.12
Chippewa and Christian Indians.....	12,360.26	Sac and Fox of Mississippi.....	55,058.21
Delawares.....	874,168.54	Sac and Fox of Oklahoma.....	390,000.00
Eastern Shawnees.....	9,079.12	Sante Sioux.....	20,000.00
Kansas.....	27,543.37	Senecas.....	40,979.60
Kaskaskias and Peorias, etc.....	52,000.00	Senecas, Tonawanda band.....	96,300.00
Kickapoos.....	115,727.00	Senecas and Shawnees.....	15,140.42
La Crosse and Vieux de Sert Indians.....	20,000.00	Shawnees.....	1,985.63
Memories.....	150,659.38	Shoshones and Bannocks.....	12,621.94
Ojegas.....	8,000,000.00	Sissetons and Walapetons.....	1,699,800.00
Omnahas.....	182,324.08	Stockbridge.....	75,988.40
Poncas and Missouris.....	600,000.00	Umatillas.....	53,270.44
Pawnees.....	308,196.41	Utah and White River Utes.....	2,540.00
Poncas.....	70,000.00	Utes.....	1,750,000.00
Tollawatomies.....	184,994.27	Total.....	16,246,883.90

The annual report of the Commissioner of Indian Affairs (1891, pp. 117, 118) lucidly presents the situation.

"In section 6 of the act approved March 3, 1891, above referred to, appears the following:

"That the amount of any judgment so rendered against any tribe of Indians shall be charged against the tribe by which, or by members of which, the court shall find that the depreciation was committed, and shall be deducted and paid in the following manner: First, from annuities due said tribe from the United States; second, if no annuities are due or available, then from any other funds due said tribe from the United States arising from the sale of their lands or otherwise; third, if no such funds are due or available, then from any appropriation for the benefit of said tribe, other than appropriations for their current and necessary support, subsistence, and education, and fourth, if no such annuity, fund, or appropriation is due or available, then the amount of the judgment shall be paid from the Treasury of the United States: *Provided*, That any amount so paid from the Treasury of the United States shall remain a charge against such tribe, and shall be deducted from any annuity, fund, or appropriation hereinafter designated which may hereafter become due from the United States to such tribe."

"Under the operation of the law contained in this section, it is apparent that lien be constituted upon all funds which now are or may hereafter become due to any Indians on any account whatever, for the payment of these claims, except so much, as may be necessary 'for their current and necessary support, subsistence, and education.' By an examination of the tables herewith presented, showing the date

PAYMENT OF INDIAN DEPRECIATION CLAIMS.

of origin and the amount of the claims on file in this office, it will be seen that many of them originated at so remote a period that the present generation of Indians can not possibly have any knowledge of or personal responsibility for them. It thus occurs that a great hardship is liable to be imposed upon the present generation (which is making, comparatively speaking, satisfactory progress in civilization), by punishing children for crimes committed by their ancestors, and imposing upon them in their advanced and advancing condition, a burden which was created by their fathers while yet in a state of savagery. If the law is permitted to remain as it is, it will work great hardship and will be a matter of very considerable discouragement to the present, if not to future generations. Many of the Indians belonging to the different tribes which are chargeable with depreciations are poor and struggling to become self-supporting, and the collection of these amounts will unduly punish them for sins of which, personally, they are not guilty. It certainly would provoke, in many cases, a spirit of antagonism and restlessness that would be very hurtful, primarily to the Indians themselves, and might seriously impair the peaceable relations between them and the Government, in which event the unintended expense of reducing them to a state of peace would be far greater than the payment of these claims outright from the United States Treasury.

"When the different tribes which have entered into treaties and agreements with the United States bargained that the monies to become due them by reason of such treaties or agreements should be held in trust by the Government and be paid to them in the manner and form set forth in such agreements or treaties, it was not contemplated by them that it would, at some subsequent period, enact a law, in the consideration of which they could have no part, which would practically confiscate these various monies and divert their payment into an altogether different channel from that originally intended and agreed upon.

"In view of this situation, I would respectfully recommend that the act be amended so as leave it discretionary with the Secretary of the Interior to determine as to whether or not the financial condition of any tribe, against whom judgment may be obtained in the Court of Claims on account of depreciations committed by members of that tribe, will justify the deduction from tribal monies of the funds necessary for the payments of such judgments. At present it will be noticed there is no such discretion, except as to what funds may be necessary for the 'current and necessary support, subsistence, and education' of such Indians."

The following table shows what disposition was made of these claims up to June 30, 1891:

	Number of claims.	Amount allowed.	Amount claimed.
Paid or otherwise adjudicated by the Secretary of the Interior prior to the act of March 3, 1875.....	230	\$210,380.83	\$438,166.71
Paid under authority of various acts of Congress prior to March 3, 1885.....	52	298,140.10	311,051.71
Paid under authority of acts of Congress since March 3, 1885. Acted upon by the Secretary of the Interior, pursuant to act of March 3, 1885, and reported to Congress January 1, 1887.....	2	10,050.00	34,450.00
1887.....	305	278,323.88	1,005,021.97
1888.....	328	328,728.42	184,453.50
1889.....	229	377,105.41	1,079,003.37
1890.....	164	215,288.69	707,825.65
1891.....	337	145,166.25	1,024,197.22
Acted upon by the Secretary of the Interior during 1891, pursuant to the act of March 3, 1885, but not reported to Congress.....	5	15,340.08	28,449.75
Total.....	1,723	2,003,517.54	5,668,800.64
Remaining on file in Indian Office June 30, 1891.....	6,252		15,929,305.90

I fully concur in the views expressed by the Commissioner and believe that unless the law is amended as recommended we shall find ourselves involved in trouble, to settle which will cost the Government immensely.

These Indians, as a rule, are not far enough advanced in civilization to be able to be entirely self-supporting. These depreciations were perpetrated by past generations of the tribes, and are now being adjudicated with but little, if any, actual knowledge on the part of the Indians of the proceedings. The funds to the credit of the different tribes are, on the other hand, well known to them and the annual interest or other payments eagerly anticipated and depended upon. Each diminution by payment of any of these judgments will be known, and, for the reason that it is not fully understood, deemed unjust and made in bad faith.

To illustrate I will take the case of the Cheyennes and Arapahoe Indians. There are claims filed against these Indians amounting to \$2,891,000. If 50 per cent of these are put in judgment, and experience shows that nearer 60 per cent of the

amount claimed is allowed, there would be \$1,345,845 for them to pay, to meet which they have but \$1,000,000, which, it was agreed with them, should be placed in the Treasury, the interest on which at 5 per cent should be paid them annually. This money is the proceeds of an agreement but recently made for the purchase of their title to lands in the Cherokee Strip, etc., and during the negotiations nothing was said or thought of us to this payment being applied to pay old depreciation claims.

It yet remains to be seen whether this \$50,000 annual interest is sufficient for their support. If this principal is exhausted in paying the claims against them it needs little experience to teach that great discontent and perhaps violence will ensue not only from the unexpected loss but the actual need for support for which the money is intended.

All of the tribes against whom the largest amounts of claims appear, notably the Comanche, Apache, Sioux, Kiowa, and Navajos, will be in the same condition if the claims against them are as rapidly liquidated from their trust funds, as now threatens to occur.

When the time comes that these Indians become self-supporting, the situation will be so changed that the moneys they have to their credit may then be taken for these payments.

It has been the policy of the Government heretofore to pay these claims when lawfully adjudicated, but to have them remain a charge against the Indians to be paid by them in the judicious administration of their affairs.

In view of the daily adjudications of the Court of Claims against the tribes, and the necessary application of the moneys of these tribes to the payment thereof, I deem it my official duty to express my anxiety lest this may soon lead to commotion and eventual outbreaks. In my judgment a discretion as to immediate payment of these judgments should be vested in some executive officer, and I respectfully submit the inclosed amendment to the law aforesaid.

The fourth provision of section 6 of said act is as follows:

"And fourth: If no such annuity, fund, or appropriation is due or available, then the amount of the judgment shall be paid from the Treasury of the United States." My suggestion is to amend such provision by inserting therein after the word "available" the following:

"Or if in the opinion of the Secretary of the Interior the financial condition of any Indian tribe against whom judgment shall be rendered herein on account of depreciations committed by members of that tribe is such as to imperatively demand for their support, education, or civilization the full amount that would be due them for interest on any fund to their credit in the Treasury of the United States, or, when this judgment would be injudicious to use any of the moneys of the United States for the purpose of paying the judgments that may have heretofore or shall be herein rendered against them as aforesaid, in either case he shall certify the same to the Treasurer of the United States."

Yours, most respectfully,

JOHN W. NOBLE,
Secretary.

THE PRESIDENT OF THE SENATE.

DEPARTMENT OF JUSTICE,
Washington, D. C., July 7, 1892.

SIR: I have the honor to acknowledge the receipt of the resolution of the Senate of July 1, as follows:

"Resolved, That the Attorney-General be directed to transmit to the Senate a list of the judgments rendered in the Court of Claims in Indian depreciation cases since the 1st of June, 1892, together with a statement of the date when each was rendered, in whose favor rendered, and the amount in each case."

I am also in receipt of a request from Senator Shoup, chairman of the Select Committee on Indian Depreciations, that there be included in the report called for above a statement of the judgments entered in the Court of Claims in Indian depreciation cases up to the 1st of June, 1892. In pursuance of such resolution and request, I herewith transmit a list of all judgments which have not been reversed or set aside, rendered in the Court of Claims in Indian depreciation cases in favor of claimants up to July 1, 1892, under the act of March 3, 1891, "to provide for the adjudication and payment of claims arising from Indian depreciations," with the date of each judgment.

Very respectfully,

CHARLES H. ALDRICH,
Acting Attorney-General.

THE PRESIDENT OF THE SENATE.

List of Indian depreciation cases in which judgments have been rendered in the Court of Claims, up to July 1, 1892.

In whose favor rendered.	Amount of judgment.	Date of judgment.
Martinez Hynes.....	885.00	Jan. 11, 1892
John B. Tompkins.....	2,400.00	Do.
Julius Crager.....	350.00	Do.
Issac Van Buren.....	625.00	Do.
Mary Widner, administratrix of Christopher Widner, deceased.....	1,250.00	Do.
C. J. Van Meter.....	575.00	Do.
William T. Asbell.....	530.00	Do.
Mary Widner, administratrix of Christopher Widner, deceased.....	1,412.95	Do.
James Longmire.....	540.00	Do.
John Watkins.....	425.00	Do.
Harvey S. Shepard, administrator of Charles P. Shepard, deceased.....	425.00	Do.
J. Knott, administrator of Joseph Knott, deceased.....	1,744.40	Do.
William H. Baker.....	50.00	Do.
B. F. Dowell.....	200.00	Do.
Maggie Dickinson, administratrix of Asbury Dickinson, deceased.....	143.00	Do.
Nils Peterson.....	250.00	Do.
Ellen Lockwood, administratrix of R. B. Lockwood, deceased.....	32.00	Do.
Hubert Pappan.....	167.00	Do.
Patrick O'Byrne.....	50.00	Do.
Manuel Silva.....	325.00	Do.
Robert M. Wright.....	600.00	Do.
H. C. Bridgman.....	215.00	Do.
George Harper.....	2,900.00	Do.
Zachariah T. Watson.....	100.00	Do.
Charles Owen.....	418.75	Do.
James B. Mead.....	820.00	Jan. 12, 1892
M. J. McDaniel, administrator J. D. Peck, deceased.....	900.00	Jan. 12, 1892
William M. Wright.....	98.00	Jan. 11, 1892
A. B. Medlam.....	575.00	Do.
Mary E. Owens, administratrix of Thomas Owens, deceased.....	289.00	Do.
James C. Laving.....	3,510.00	Mar. 28, 1892
Rachael Gilbert.....	4,400.00	Apr. 4, 1892
Campbell & Clinton.....	475.00	Apr. 18, 1892
John J. Moss.....	339.35	Do.
Felix G. Isaac.....	1,543.50	Do.
William Kronic, administrator Samuel B. Watson, surviving partner of Watson & Barnham.....	2,787.00	Do.
John A. Gordon.....	415.00	Do.
J. H. Estes.....	127.00	Do.
Jerome McAllister.....	495.00	Do.
Mrs. S. B. Jacobs, administratrix of William Jacobs, deceased.....	500.00	Do.
P. B. Peterson.....	250.00	Do.
Henry A. Whaley.....	2,000.00	Do.
Theodore A. Sloan, administrator of Chas. Autobee, deceased.....	2,080.00	Do.
Joseph T. Fanning.....	380.00	Do.
A. J. Henson.....	2,000.00	Do.
C. W. Cooper.....	2,500.00	Do.
Daniel E. Moore.....	2,650.00	Do.
Sech E. Ward, surviving partner of Ward & Guerrier.....	7,947.54	Do.
Chapman & Tuttle.....	2,625.00	Do.
George W. McDonald.....	1,375.00	Do.
David A. Smith & Eben Smith.....	900.00	Do.
W. J. Welborn.....	225.00	Do.
Alphonse Bishop.....	75.00	Do.
E. B. Akerly.....	1,310.00	Do.
John Hensley.....	1,950.00	Do.
David Cortler.....	390.00	Do.
Arthur J. Chapman.....	11,150.75	Do.
Louis Pashall.....	250.00	Do.
Ezekiel Bailey.....	2,650.00	Do.
Susan A. Payne and Thomas A. McChlary, administrators Edward W. Payne, deceased.....	1,230.00	Do.
Richard F. Barrett.....	1,535.00	Do.
Amory Hughes.....	867.50	Do.
B. Brockway, administrator Austin Rice, deceased.....	470.50	Apr. 25, 1892
J. W. Ladd.....	100.00	Do.
Louis Bordeaux, administrator James Bordeaux, deceased.....	1,350.00	Do.
George Fleming.....	700.00	Do.
Elmer Sewell.....	800.00	Do.
Wm. McCullough, administrator Martin W. Newland.....	340.00	Do.
Charles W. Conger.....	240.00	Do.
Lettie Bellard, administratrix of Moise Bellard, deceased.....	210.00	Do.
Helen Watkins, administratrix Homer Winters, deceased.....	250.00	Do.
O. P. Goodwin.....	240.00	Do.
James H. Nison, administrator John Nison, deceased.....	414.00	Do.
Charles Rath.....	1,100.00	Do.
David Imms.....	100.00	Do.
John F. Sturgill.....	96.00	Do.
E. J. Alexander.....	230.00	Do.
William McCullough.....	300.00	Do.
F. M. Phillips.....	490.00	Do.
J. H. Richards, administrator John A. Richards, deceased.....	574.00	Do.

List of Indian depredation cases in which judgments have been rendered, etc.—Continued.

In whose favor rendered.	Amount of judgment.	Date of judgment.
Francis M. Vanderpool	\$351.00	Apr. 26, 1892
W. A. Mouscut	2,511.00	Do.
Albery & Bender	950.00	Do.
Oliver P. Goodwin	1,800.00	Do.
H. M. Fendler	375.00	Do.
Francis C. Boncher	225.00	Do.
John Jones	50.00	Do.
Hiram B. Kelly	3,450.00	Do.
John H. Durbin, administrator D. C. Tracy, deceased	2,500.00	Do.
W. H. Bush	375.00	Do.
P. A. Baldwin, administrator R. F. Blinn, deceased	1,200.00	Do.
Vivian Bacon	1,100.00	Do.
James N. Clark	4,475.00	Do.
Asahel E. Koon, administrator G. W. Koon, deceased	1,508.75	Apr. 28, 1892
Wm. Kneitz	85.00	May 2, 1892
Jesse Garcia	85.00	Do.
Juan Chavez y Luna, administrator Francisco Chavez, deceased	662.50	Do.
Tranquilino Luna, administrator Antonio Jose Luna	8,850.00	May 3, 1892
George Hollister	321.00	May 4, 1892
Joseph M. Apodaca	150.00	Do.
John Watts	650.00	Do.
George F. Ford	350.00	Do.
Charles Froelich and August Kirchner	375.00	Do.
Marion G. Samaniego	9,350.00	May 9, 1892
Marion G. Samaniego, administrator Bartolo T. Samaniego, deceased	1,500.00	Do.
Isaac W. Baker, administrator Wm. Baker, deceased	600.00	Do.
Francisco Lopez	225.00	Do.
Wm. M. Murphy	282.50	Do.
Rudolph Irninger	1,222.00	May 10, 1892
H. M. Chase	7,530.50	Do.
Charles H. Bitting	638.50	Do.
Dennis Shively	5,929.00	May 11, 1892
Patrick Gossow	285.00	Do.
Jesse H. Crano	3,300.00	Do.
Lodrick & Whitaker	6,800.00	Do.
Bickford & Stanley	900.00	Do.
C. H. Slocum	100.00	Do.
Basile Clements	1,740.00	Do.
Amado C. de Baca, administrator Tomas C. de Baca, deceased	2,330.00	Do.
L. T. Richmond, administrator J. H. Richmond, surviving partner of		
Curtis & Richmond	4,144.50	Do.
Bickford & Stanley	1,000.00	Do.
May J. Hamilton, administrator Samuel M. Hamilton, deceased	5,064.00	Do.
J. D. & T. C. Huelt	7,800.00	Do.
Flower & Fitzgugh	3,000.00	Do.
Frederick Fredley	625.00	Do.
Rock Bush	700.00	Do.
John M. Edwards	2,475.00	Do.
Glendon D. Gray	625.00	Do.
Eusebio Martin Montoya de Martinez, administrator of Leguadro Martinez, deceased	1,412.50	May 17, 1892
Elizabeth J. Annis, administratrix of Holland Bailey, deceased	5,443.75	May 24, 1892
Jose Maria Chavez	1,015.00	May 29, 1892
James C. Loving	2,115.00	Do.
John T. Mitchell, administrator of Cyrenus Beers	7,900.00	Do.
John S. Luff	7,000.00	Do.
Richard E. Pratt, Henry T. Anderson, and James Bryden	1,126.00	Do.
George N. Moss	485.00	Do.
Albert Halladay	1,375.00	June 16, 1892
Henry C. Frazier	1,375.00	Do.
Rafael Romero	10,025.00	Do.
W. R. Samuel	1,126.00	Do.
James K. Bell	300.00	Do.
Julia F. Halseh, administratrix of J. G. Halseh, deceased	17,720.00	Do.
James C. Loving	2,015.00	Do.
James Butler	4,432.50	Do.
Albert Halladay	8,200.00	Do.
Samuel J. Martin	2,075.00	June 30, 1892
Joseph S. Lacombe, administrator of August Lacombe, deceased, surviving partner	692.00	Do.
Francis Garcia de Montoya, Jose Montoya, Estimio Montoya, administrators of Estanislao Montoya	700.00	Do.
David Robertson	75.00	Do.
Seth E. Ward	25,750.00	Do.
John H. Rome	4,000.00	Do.
Bernard, Irwin & Piper	900.00	Do.
Marcus L. Harri	4,600.00	Do.
Philip Gouzer and Milton M. Delano	2,015.00	Do.
Margatha Burke, administratrix of John Burke	5,612.50	Do.
Frank Kelley	5,300.00	Do.
Recreation Armuthy	442.00	Do.
Elissa S. Babcock, administrator of A. E. Babcock, of the firm of Smythe & Babcock, O. R. Smythe, surviving partner Smythe & Babcock	13,640.00	Do.

List of Indian depredation cases in which judgments have been rendered, etc.—Continued.

In whose favor rendered.	Amount of judgment.	Date of judgment.
C. H. Hardisty	\$1,540.00	June 30, 1892
George Sanderson, surviving partner Sanderson & White	1,050.00	Do.
Correlia G. de Baca, administratrix of Simon de Baca	2,000.00	Do.
Daniel J. Winters, surviving partner of Montague & Winters	35.00	Do.
Francisco Lopez and Lorenzo Lopez	2,750.00	June 13, 1892
Correlia G. de Baca, administratrix of Simon Baca	1,030.25	June 30, 1892
Isaac W. Whittington, administrator of James H. Whittington	2,800.00	Do.
Henry Largey, administrator of Matthew McQuone (Matthew McQuone), Amado C. de Baca, administrator de bonis non of Tomas C. de Baca, deceased	208.16	Do.
Manned Abrew and Peter Maxwell, administrators of Lucien B. Maxwell	240.00	Do.
Amado C. de Baca, administrator de bonis non of Tomas C. de Baca, deceased	4,200.00	Do.
Frank S. Landry	1,230.00	Do.
Thomas Delo	910.00	Do.
Amado C. de Baca, administrator de bonis non of Tomas C. de Baca, deceased	350.00	Do.
Joachim Montoya	312.50	Do.
Mrs. Orilla A. Berger, formerly Burton	465.00	Do.
Jonathan W. McCarty	325.00	Do.
J. C. Clark	1,116.50	Do.
Vincenzo Bacon	1,435.00	Do.
Amado C. de Baca, administrator de bonis non Tomas C. de Baca, deceased	3,100.00	Do.
Fielding Burns	300.00	Do.
Olive Lyon, administratrix J. P. Thomas, deceased	1,000.00	Do.
George Maxwell	5,025.00	Do.
Fred V. Westaway	210.43	Do.
Wm. Kneitz, administrator S. B. Watrous	3,375.00	Do.
Jose L. Ribera, administrator Francisca Lopez	5,200.00	Do.
John Nance	75.00	Do.
Lafayette Abington	200.00	Do.
Andrew Dear (or Delu)	350.00	Do.
Arson Grigely	108.15	Do.
James Smith	550.00	Do.
Hugh Campbell	330.00	Do.
P. C. Davis	600.00	Do.
Mrs. E. A. Bellon	831.00	Do.
J. F. Van Satta	520.50	Do.
John Sonne	597.00	Do.
Michael Durval	515.00	Do.
Patricio Ortega, administrator Albino Ortega, deceased	900.00	Do.
G. D. Richardson	192.00	Do.
Wm. N. Moore, administrator Samuel C. Moore	500.00	Do.
Jose Felipe Baca, administrator Antonio Baca y Baca	2,900.00	Do.
Wm. H. Raymond and Whitrop Raymond	3,800.00	Do.
Wm. Sinsler	745.00	Do.
Engene Middleton, administrator Wm. Middleton	3,005.00	Do.
Henry C. Smith	600.00	Do.
Tunk Swick	2,435.00	Do.
Simon Landry, surviving partner of the firm of Tichner & Landry	6,301.80	Do.
Wm. R. Baker	2,527.00	Do.
H. Z. Solomon	8,108.48	Do.
H. C. Hooker	14,150.00	Do.
James L. Allen	285.00	Do.
Wm. F. Briggs	40.00	Do.
Jose A. Montoya, administrator Maria Marta Gallegos	100.00	Do.
William McBean	866.50	Do.
H. J. Standage	750.00	Do.
Ysabel Blanchard, administratrix of Ward B. Blanchard, deceased	2,300.00	Do.
Andrew J. Maxwell	910.50	Do.
Maria Isabel de Baca y Ribera and Jose L. Ribera, administrators of Gabriel Ribera	780.00	Do.
James M. Waile	3,250.00	Do.
Lester Walker	775.00	Do.
Albert C. Evans, Robert B. Hunter, and Jesse Evans	9,000.00	Do.
William R. Colford	300.00	Do.
Alexander Louis	75.00	Do.
John Palmer	2,325.00	Do.
William H. Roberts, executor of C. R. Roberts, deceased	640.00	Do.
William Carter	100.00	Do.
P. H. Greu	1,900.00	Do.
Samuel M. Fisher	635.00	Do.
Joseph Tobbias	1,045.00	Do.
Jose Maria Gallegos	1,505.00	Do.
Antonio Jose Chavez	3,000.00	Do.
James H. Mead	275.00	Do.
Jose Manuel Sandoval	163.00	Do.
Nicholas T. de Cordoba and Louis S. de Martinis	2,648.50	Do.
Nicholas T. de Cordoba and Juan Abram Jiminez, administrator Ramon Romero	1,780.00	Do.

List of Indian depredation cases in which judgments have been rendered, etc.—Continued.

In whose favor rendered.	Amount of judgment.	Date of judgment.
Nicholas Cordova and Filomeno Saiz, administrators Juan Lorenzo Saiz, Calvarina de Luna and Nicholas de Luna, administrators José Ignacio de Luna	\$1,925.00	June 30, 1892
Luna	3,996.00	Do.
Alonso Cordova	275.00	Do.
Antonio Martinez	750.00	Do.
Miguel Esquivel	1,510.00	Do.
Total	479,067.62	

List of judgments rendered by the Court of Claims on Indian depredation claims since June 30, 1892.

Name.	Indian.	Amount.
Lovina Stiles, administratrix of Hiram H. Peel	Sioux	\$320.00
John Woody	Comanche and Kiowa	725.00
David Levy	Bannock	927.00
Henry H. Woodward	Upper Cheyenne	252.00
E. C. Hardy	Kikikat	580.00
Flourence E. Fargo, administratrix of W. H. H. Fargo	Chippewa	110.00
John W. Whitford, administrator of Jos. Whitford	do	727.00
Jarvis L. Sanderson, surviving partner of firm of Barlow, Sanderson & Co.	Cheyenne	7,740.00
José Anastasio Trujillo	Jicarilla and Apache	300.00
Nativio Montano and Juan J. Gonzales, administrators of Lorenzo Montano	Navajo	420.00
Wm. V. F. Earle	Sioux	455.25
Herman Levi, Jacob Levi, sr., partners under firm of H. Levi & Co.	Apache	108.50
Delariva Vigil de Desmaris, administratrix of Miguel Desmaris and Louise D. Herard, late of the firm of M. Desmaris & Co.	Cheyenne	8,625.00
R. T. Better, administrator of C. O. Fuller	Kiowa	235.00
N. P. Hewitt	Cheyenne and Arapaho	468.30
Maloum McNeil	Comanche	291.00
D. F. Bradford	Yakima and Kikikat	7,830.00
Gerard Graham	Sioux	750.00
Wm. W. Mann	Kiowa	125.00
Theodore Coulson	do	125.00
Hiram B. Kelley	Sioux	400.00
L. S. Jenks	Apache	250.00
Augustus Frothing	Sioux	675.00
Nicholas Jania	do	1,175.00
P. R. Tulley, and Octoe	Apache	15,210.00
James Whitehead	Comanche	7,100.00
Jean Louis Killett	Muscogean Sioux	7,725.00
Deciderio Valdez, administrator of Jose Marie Valdez	Navajo	40.00
Marcus Gonzales	do	900.00
José Saiz and Juan Urioste, administrators of Juan Saiz	do	400.00
Jerome P. Harrot	Sioux	1,614.00
M. A. Gallup	Cheyenne and Arapaho	255.60
Jesus M. Tafuya and José Miguel Baca, administrators of Antonio C. de Baca	Navajo	730.00
Pablo Sanchez, administrator of Juan Montoya	Cheyenne	2,850.00
Stephen Stanley	Mescalero Apache	12,935.00
Antonio Jose Herrera	Navajo	1,850.00
Peter Cora	Mescalero Apache	250.00
Do	do	150.00
Do	do	75.00
Do	do	75.00
Do	do	300.00
Martin W. Fanning	Sante Sioux	1,000.00
Joseph Leonia	Sioux	2,025.00
S. A. Hamlin, administrator of J. B. Lowry	Pawnee	125.00
August Ernest	Sioux	857.87
Thos. Chevalier	Kiowa	1,550.00
Felix Ulbarri	Sioux	2,700.00
Joseph Kalzle	Cheyenne	925.00
Joseph Dissonette	Sioux	1,050.00
Do	Jicarilla Apache	375.00
Thomas A. Trujillo, administrator of Pablo Trujillo	Kiowa	100.00
Hiram Leaf	do	100.00
Total		\$91,828.86
Sioux		\$11,577.25
Cheyenne and Arapaho		19,996.50
Kiowa and Comanche		7,776.00

STATEMENT OF HON. CHARLES FOSTER.

My practical knowledge of Indian affairs is covered by my experience as a member of the Sioux Commission. That commission succeeded in inducing the Sioux Indians to convey to the Government about nine or ten million acres of their lands, agreeing to take separate reservations and to take allotments in severalty. We interpreted to them the law of Congress, and we made certain statements to them. Among those statements was an estimate of what they would receive for the lands they were asked to dispose of. We fixed a sum, and, by looking over the report, I find that we stated to them that after they had received their cows, farming utensils, and houses they would have about \$5,000,000 left, which would be a trust fund, upon which they would receive 5 per cent interest to be used in certain ways. My impression is that, if we could have known that any interference was to be had with that trust fund, that any portion of it was to be paid as damages for depredations, we would have failed of success.

In our report we say to the President that we desire, if our action is to be approved, that our interpretation and our statements should be recognized by him as part of that approval. So that, as a member of that commission, I feel that, if this money were to be diverted so as to be used for payment of the Indian depredation claims, it would be a violation of good faith on the part of the Government toward those Indians.

I believe, furthermore, that it would cost the Government much less to pay these claims outright than to undertake to pay them out of this class of funds. I think Mr. Jerome, who has had much larger experience than I have had, will say to you that if he had intimated to those Indians that any part of this money was to be used for payment of Indian depredation claims we would never in the world have succeeded in getting from them an agreement. I suppose it is the policy of the Government to secure these lands through the employment of these commissions, and therefore it seems to me that the utmost good faith should always be maintained, and that whatever the commission has promised these Indians, and the Government of the United States has accepted, should be carried out inviolably.

That is all I have to say, and I say that from the experience I have had with these Indians and my observation while among them.

The CHAIRMAN. Have you any idea that there has been any attempt, by legislation or otherwise, to divert that \$3,000,000 (which you promised those Indians should be deposited in the Treasury for a specific purpose) to the payment of these depredation claims?

Mr. FOSTER. I have no specific information on that subject, not having examined the law, but I understand that the law provides for the payment of these Indian depredation claims, as I learn this morning from the Secretary of the Interior, from these trust funds. We asked them to make the agreement provided for under the law of Congress. Under the agreement of 1868 it seems that even when any lands were ceded the Government should obtain the assent of three-fourths of the male Indians over 18 years of age. We took that law without interpretation of the Secretary of the Interior, studied it carefully, made our own interpretation, and possibly modified our views somewhat to suit the occasion. Still, I think it was a fair and just interpretation of the law, and at every agency to which we went we made the statement of our interpretation and answered their questions, some of which were

very intelligent, as you will find, especially those of John Grass at Standing Rock. We estimated the value of the lands and told them what this trust would be.

Hon. JOHN A. PICKLER. Were there not a number who were hostile to this agreement, who contended to the other Indians that the Government would divert this fund, and that the provisions of the agreement would never be carried out in good faith?

Mr. FOSTER. Yes, that is so.

The CHAIRMAN. Were your side promises, if I may use that phrase, carried out?

Mr. FOSTER. I am proud indeed to say that Congress has ratified every suggestion we have made.

The CHAIRMAN. Then we have endeavored to carry out the agreements?

Mr. FOSTER. In perfectly good faith.

The CHAIRMAN. So that if those who come after us undertake to divert this fund it will not be your fault or ours?

Mr. FOSTER. It will not be my fault, I am sure. I do not know what this law is, and I have had a different view of it from that given us this morning by the Secretary of the Interior.

Secretary NOBLE. It may be that our own skirts would be clear for what we have done, but the Indian is a fixture there, and not knowing about the changes taking place here will have his opinion.

The CHAIRMAN. In order to keep our skirts clear it might be well to embody the statement into the stipulations that the United States considers itself bound until it changes its mind. [Laughter.]

Senator PLATT. I understand the Secretary of the Interior and the Secretary of the Treasury both to suppose that there is no discretion as to whether they will pay the judgments of the Court of Claims out of the funds deposited in the Treasury for the tribes.

Mr. FOSTER. Under the law of 1891 that is so.

Senator PLATT. Why is it not just as hard and immoral to deduct from the funds which are in the Treasury and which the Indians understand are there for their benefit and to be applied in a specific manner, as it is to take it out of funds which may be put in the Treasury under the agreements?

Mr. FOSTER. That is a question.

Senator PLATT. The law is explicit that the claims shall be paid, first, out of annuities; if there are no annuities, secondly, out of the principal of the funds themselves; and thirdly, if that is not sufficient, out of any appropriations that may be made for the Indians.

The CHAIRMAN. Out of "moneys not otherwise appropriated."

Senator PLATT. It does not say so.

The CHAIRMAN. Unless set apart for a particular purpose you can not take it away from them.

Senator PLATT. Suppose it be set apart to pay to the Indians interest upon it at certain specified times. That is all the specification there is.

The CHAIRMAN. If it be set apart for the purpose of paying to the Indians the interest at particular times, then you should not take that interest to pay something else, for that would be appropriating it to some other purpose. It is true you can do it, because the United States has the power, as it has the power to rob the Treasury. The law of 1891, it seems to me, must be construed to mean that the moneys in the Treasury belonging to those Indians are not there for any other purpose.

Senator PLATT. To put that construction upon the law is to say that

as respects payment out of the Indian funds the law is to be held entirely nugatory; that it does not mean anything.

The CHAIRMAN. It is very unwise to leave it in uncertainty, so that they would be compelled to go into court to secure their rights.

Hon. H. H. ROCKWELL. Under the language of the statute of 1891 I do not see how there can be any other possible construction, for it says:

SEC. 6. That the amount of any judgment so rendered against any tribe of Indians shall be charged against the tribe by which, or by members of which, the court shall find that the depredation was committed, and shall be deducted and paid in the following manner: First, from annuities due said tribe from the United States; second, if no annuities are due available, then from any other funds due said tribe from the United States arising from the sale of their lands or otherwise; third, if no such funds are due or available, then from any appropriation for the benefit of said tribe, other than appropriations for their current and necessary support, subsistence, and education,

How can you construe that, except that it is to be deducted from the moneys already due and payable or to become due to those Indians?

The CHAIRMAN. Suppose the United States owed you \$100,000 and had bound itself to pay you in a particular way; that the United States should pass a law afterwards saying it would not do it, but would pay it to Mr. Foster, instead of you, because it thought you justly owed that much to Mr. Foster; do you suppose the United States could do that?

Mr. ROCKWELL. I want to say this: That if the United States owed me \$100,000 and had set it apart to pay me the interest thereon when due, and it should afterwards be found that I had committed a tort against Mr. Foster for which he had obtained judgment in damages against me in a court of the United States, then the United States would be perfectly justifiable in withholding from me the payment of that interest as a set-off to the amount of the judgment so obtained.

The CHAIRMAN. You commit a tort against Mr. Foster; Mr. Foster gets judgment against you for \$100,000; you have money in the U. S. Treasury; and yet the United States, without your permission, will say, "we will pay it to Mr. Foster, not to you?"

Mr. ROCKWELL. Excuse me one moment. The terms are that not only is Mr. Foster a defendant in the case supposed, but the United States is also, and the judgment is against the United States, and the United States had it to pay, and did pay last year \$479,000.

STATEMENT OF MR. DAVID H. JEROME.

With the permission of the chairman, I will say that my object in appearing before this joint session of the two committees is to respectfully request that in any legislation that may hereafter be enacted touching the ratification of contracts we have already made with Indian tribes, provision be made that shall shield the moneys that the Government has through our contracts agreed to pay the Indians from being appropriated to pay these judgments. That is our proposition.

These committees are well aware that this Cherokee Commission has been laboring in the Indian Territory for something over three years, and that during that time we have consummated agreements with a great many Indian tribes. Several of the tribes have been amalgamated, but our work has been condensed into eleven contracts. The Comanches, Apaches, Poncas, Kiowas, Pawnees, Arapahoes, Cheyennes, Kikapoes, Pottawatomies, and Wichitas are the tribes that we have dealt with, and who will be subject to that law of 1891 when the

claims that have been filed against them shall have been duly adjudicated in the Court of Claims.

Senator PLATT. There would be nothing against the Cherokees?

Mr. JEROME. If there should be anything against the Cherokees they are able to speak for themselves.

Senator PLATT. There would not be likely to be any claims against them.

Mr. ROCKWELL. Of this \$25,000,000 there is only \$85,000 claimed against the Cherokees.

Mr. JEROME. I have not checked them off the list, and do not speak for them because they are entirely able to speak for themselves. But in order to understand why we earnestly desire that these funds shall be sacredly kept for them I desire to say that these Indians are mere children, in the better sense of the word. When the commission approaches them to deal with them for their lands, their first response is that:

We are Indians; we know nothing of any new life; we know nothing of the white man's ways; and we shall be unable to subsist if you take from us the ordinary means of procuring a livelihood as the Indians have done; that is to say, if you restrict us in lands.

Then, like the simple persons that they are, according to our view, they say, "Now, what scheme have you to present to us that will enable us to live like white men?"

In response to that inquiry from the Indians we say to them:

The first thing we want you to agree to is that you will take homes in allotments on the reservation where you now live.

Very good. If we should take homes in allotments we have no money with which to build fences and houses, and to break lands, or generally to enter upon an agricultural life.

To that we have always answered in this way:

The Government fully appreciates all that, fully appreciates your surroundings and conditions, and in order to provide the means for you to go forward in this new mode of life you are to have so much money in lieu of the surplus lands you surrender to the Government; that in detail the Government will give you so much money the first year, so much the second year, and so much the third year, and so on. That money will be distributed per capita among the Indians on this reservation.

We have to bring it down specifically to just so many dollars and cents that each Indian will get, and not only what each Indian will get, but what his wife and each of his children will get, and which will enable each Indian head of a family to build a house costing a certain amount, to build fences, to break up land, to buy a wagon and team, agricultural tools, and all these things very minutely stated.

After explaining these matters in that way, and they become satisfied that we are thoroughly honest about it and are acting in good faith, they yield. They yield the most implicit confidence in and reliance upon the integrity of the men who are talking to them. They know no more than children about what should go into the paper agreement in order to protect their rights. That is left entirely with the commissioners who visit them, and it is a very grave responsibility to put upon anybody who deals with Indians.

Now, the commission was not advised of the enactment or of the provisions of that law of 1891, and we ingood faith stated to them specifically every time that they would have so much money at such a time, so much at such another time, and that they could rely upon it because the faith of the Government of the United States was pledged to make those payments. Had the commissioners been advised of the provi-

sions of that law of 1891 it would have been our bounden duty, of course, to explain it to the Indians, because, entertaining conscientious scruples in regard to dealing with the Indians, our only way was to gain their confidence, to be fair with them, and to be full in our explanations as to what their future life should be.

There is another peculiarity about the Indians, that they assume that every commissioner representing the Government—it may be a violent assumption—has full prescience to determine not only what has been done, but to tell what will be done for all time to come. So that if a commissioner ever confesses to them that he can not tell what is going to be done at any time within the next hundred years, he is set down as a man not fit to represent the United States in dealing with Indians. They rely implicitly upon what is said to them by commissioners. Had they been told this case by the commissioners, that this money was liable to be diverted into other channels, there is no question in our minds at all—it admits of no doubt—but that that would have been the end of our negotiations.

I have further to say, as drawn out by your chairman, that where funds are specifically set apart that they may be sacredly guarded in the Treasury, to draw 5 per cent interest, under the agreement, and where it has also been told them that when the Government gets ready, at its pleasure, to cease to pay that interest, the principal will be distributed per capita, they have implicit confidence in and have relied upon that statement.

Senator PLATT. Do you not think it is true that, as regards each of these funds, the Indians themselves understand that at any one period, near or remote, it is to be divided among them per capita?

Mr. JEROME. That is just what I was saying. They have been told in every instance that when the Government gets tired of paying 5 per cent interest on the amounts left in the Treasury, then there will be a further distribution among the Indians of so many dollars and cents to each one, if they have the same number then as now. So that in every instance they have been told, down to the most minute details, just what they could rely upon, what they could use their money for, and how they could enter upon and carry out this new life that is proposed for them.

Senator PLATT. With reference to the funds which were put into the Treasury before you commenced to negotiate these agreements, did the Indians not understand just what sum would be due them?

Mr. JEROME. I will not say that, because our agreements have never contemplated or included any arrangements of the Government with reference to any of the Indian funds already in the Treasury.

Senator PLATT. But I understand that every Indian tribe that has had a fund in the Treasury, even before you commenced to negotiate your agreements, has that feeling about it, that at some time that fund, if they arrive at a certain stage of civilization, will be divided among them per capita.

Mr. JEROME. Certainly. I will state that, while that was not covered by our agreements in writing, yet all of our statements to them as to what they would have in the future always took into account the money that would be distributed under contracts existing with them prior to the making of our agreements; so that we bunched them together, to tell them what their resources would be in the future. In every phase of it they have been led to believe by our statements that they would have so much money without any of this money being diverted to any other purpose.

Mr. ROCKWELL. I suppose nothing was said about any depredations they had committed?

Mr. JEROME. In one instance a Comanche chief asked the commissioners whether it were possible for claims to be proved up against them which would involve a diversion of their funds.

Senator JONES, of Arkansas. What was the answer?

Mr. JEROME. The answer was not what can be repeated exactly from memory, but it was just such an answer as anybody would make if he did not know what to say.

Senator PLATT. The fund which goes to the Cheyennes and Arapahoes is a joint fund, is it not?

Mr. JEROME. Yes; they are a consolidated band of Indians, made up of those two elements, the Cheyennes and the Arapahoes.

Senator PLATT. The claims against them, however, would be against them in their separate tribal capacity, would they not?

Mr. JEROME. That is a construction which I am not prepared to discuss.

Senator PLATT. I mean this: That the claims would be against the tribe—the Comanches, or the Arapahoes, or Kiowas, before they were consolidated?

Mr. JEROME. Oh, yes. I find in the list lying here on the table claims filed against the individual elements of the consolidated tribes. The Wichita tribe, as we denominate them, is composed of some eight or nine bands that have been affiliated and consolidated, and there are claims against some of the elements of that consolidation. In view of that, as I was saying, we did not know whether it might not be possible that money might be retained for the payment of those claims, and we did not make it clear to them that it would be, and we were just as clear in leaving them with the impression that it would never be diverted as though it had been so stated in terms. We were not advised as to the provisions of the law, and were consequently embarrassed as to just what we ought to say to them about that, but on general principles we made the best explanation we could. Now, the agreement with the Cheyennes and Arapahoes was consummated before the passage of this law, and, as I said a while ago, you could never convince those Indians that the Congress of the United States did not contemplate in passing that law that these commissioners had no knowledge of it; you can not convince them under any circumstances of any such thing.

The CHAIRMAN. Were any of the agreements ratified by Congress before the passage of this law?

Mr. JEROME. Yes; the Arapahoe agreement was ratified before. We ask for the protection of the fund of the Cheyennes and Arapahoes just as much as we do for those agreements not yet ratified, because the good faith of the Government and the good faith of the commissioners, in my judgment, are pledged that the funds should not be diverted. The agreements were ratified with the Kiowas, Pottawatomies, and Absentee Shawnees.

Senator JONES. Then your idea is that no part of this money can be diverted?

Mr. JEROME. By no means, without breaking faith with these Indians. And let me say here that one of the most hopeful signs we have ever found to encourage us in the building up of civilization among the Indians is the implicit reliance they have upon the good faith of the Government towards them. They have just as implicit reliance upon the good faith of the Government as a child has in its mother. They do not doubt and have never doubted, that the Gov-

ernment will deal fairly with them; and anything that would mar or break that confidence they have in the Government would set them back further than any one act I can name. They are drawing into line now, and we are encouraged in the belief that they are making progress in that way. After they have thus put themselves implicitly in the hands of the Government, to be guarded and taken care of with respect to these allotments that have been made, if they should ever be warranted in saying that they have not been treated fairly, they would retrograde and become vicious and ugly, having no means of defending themselves except by committing vicious acts.

I want to draw one distinction which may have escaped the minds of some here: That the law of 1891 is very radical in its provisions about diverting these Indian funds. It is my understanding of the law that the only discretion now in the Secretary of the Interior to take this money out of the Indian funds in the Treasury is covered by the act making the appropriation of \$479,000 to pay judgments rendered since the passage of the act of 1891.

Mr. ROCKWELL. The qualification there was that, as soon as practicable after the passage of the act, such deductions should be made according to the discretion of the Secretary of the Interior, having due regard to the educational and necessary wants of the tribes affected.

Mr. JEROME. That is an appropriation act providing the funds to meet judgments rendered by the Court of Claims?

Mr. ROCKWELL. Yes.

Mr. JEROME. The act of 1891 precedes that and is the general law that governs the whole; so that when these payments are made under this special appropriation act the law ceases to confer discretion upon the Secretary of the Interior. You then go under the general law for all that comes after that unless there is a modification of it in some way.

Senator JONES. Your idea, then, is that, no matter how much wealth any tribe of Indians may have accumulated in the Treasury under any agreements made with them about selling their lands, and agreements are afterwards made between commissioners and themselves, they have been led to believe that the Government would not suffer any deductions to be made from those funds on account of these depredation claims, and therefore none ought to be made?

Mr. JEROME. My judgment at present about it is that they have had no notice that these claims would be made against them, and that therefore they would be taken by surprise when confronted with them.

The CHAIRMAN. Then you think, if you make an agreement now with these Indians in which you stipulate that they shall be paid for this land in a particular way, and Congress ratifies that agreement, without any further action the accounting officers of the Treasury can take that money and appropriate it in another way?

Mr. JEROME. I have no doubt of it, unless there be some specific provision as to what use the money shall be put to. In the agreements that this commission has made there are no provisions as to the use to which the money shall be put. Our talk to them did cover that, but the agreements in writing covered no such provision.

The CHAIRMAN. Can not the United States modify that depredation law?

Mr. JEROME. Oh, certainly, Congress can modify it.

The CHAIRMAN. Then if Congress makes a law prescribing that a certain sum shall be paid in a certain way does not that modify that law?

Mr. JEROME. I do not know about that. The Cherokee Commission,

let me here say, with all due respect to the committees, are of opinion that there is wisdom enough here and sufficient legal acumen to properly guard these funds we are talking about. Just what that way is it is not for us to prescribe, but we do sincerely urge, with all the energy we can command, that it be done in some way.

Hon. SAMUEL W. PEEL. Should any of these funds, arising from any of the agreements you gentlemen have made with the Indians, be diverted in future to the payment of any of these judgments of the Court of Claims, you believe that would be a violation of the good faith of the Government?

Mr. JEROME. Most assuredly. I would impress it upon you, gentlemen of the committees, and I repeat, that in our talks to the Indians about how they were to continue in this new life we explained to them that if they already had any more money in the Treasury that would yield them so much each year, and this new agreement would provide for them to have so much money in each year, and that putting the two together it would make so much. To an Indian that is just as binding in honor as though it were put in the paper itself.

Let me say further, that in discussions we have had with many of the tribes, where I have heard one Indian say he remembered about what was in a treaty or what was in any agreement they had made with the Government, I have heard a hundred say that they remembered well what the Commissioner said to them, what the Secretary of the Interior said to them, what the Commissioner of Indian Affairs said to them, or what some general said to them. They base their rights and their claims absolutely upon what they can remember of what some commissioner or authorized representative of the Government may have said to them. That is their way of perpetuating these things, and it is handed down by tradition, one man saying that his grandfather was present and heard general and commissioner so-and-so say this or that. That is conclusive with them. They do not say that the agreement provides one way or the other.

So I say that, considering what we have said to them about their present funds in the Treasury, with what we propose to give them in the future, they have reason to believe in their way that these funds that they now have in the Treasury will not be diverted. But this law of 1891 provides for paying these judgments out of money that may hereafter arise from the sale of these lands. That is a very important provision, Mr. Chairman. It provides for payment out of annuities. The Pawnee Indians have an annuity of \$30,000 under prior treaties. In our conversations and interviews with the Pawnees we have put that \$30,000 with what we are to give them, and that shows them the road by which to reach prosperity in the white man's way.

The CHAIRMAN. Suppose you put in the agreement a provision that neither this sum nor any other sum of their's in the Treasury shall be subject to the depredation law, and that that agreement be ratified by Congress.

Mr. JEROME. If you will put that in the act ratifying our contracts it will certainly satisfy our notions of propriety. The agreements are already made. If we were to go forward with our present information there is no question but that we should incorporate in every contract a provision that would preserve those funds. We feel earnestly about it, and there is no phase of it that may result in diverting one dollar of these funds that would leave the Government in good standing with these Indians, that would leave them with any respect for these Com-

missioners, or that would not leave the Commissioners in the condition that they would be ashamed they had been there.

Mr. ROCKWELL. You alluded to a modification of the law by the appropriation act of 1892, and said that while its provisions would seem satisfactory to you they would expire with the year for which the appropriation was made; would such a permanent modification of the general law be satisfactory?

Mr. JEROME. Let me answer in this way: It is like a wooden leg; if that is the best we can get it will do. But if you would make it so that it would be beyond question as to how some future Secretary of the Interior would act, then we would be satisfied.

Mr. ROCKWELL. It strikes me that it is better for the Government and safer for the educational and other requirements of the Indians than the modification of the law as suggested by the Secretary of the Interior.

Mr. JEROME. So I think; very much better and safer. But that way is better than none. If we had the agreements to make over again we would incorporate in every one of them a provision that these funds should never be diverted to any other purpose except to be distributed among the Indians.

Senator PLATT. That would mean that the Government should pay out of its own moneys whatever judgments might be rendered.

Mr. JEROME. The Government must look out for itself and discharge its responsibilities in that particular.

Senator JONES. In other words, that the Indian should never be compelled to pay his just debts.

Mr. JEROME. I am not defending the Indians who committed these depredations, but I call your attention to the fact that they have no record method of perpetrating testimony. These claims are for damages occasioned by wrongs that were committed years and years ago.

Senator JONES. Do you think the Government liable for those damages?

Mr. JEROME. That I do not know; but this is what I want to call to the attention of the committee: That you should remember that every child born at the time of the completion of these allotments has the same interest in those allotments as the adult male has to-day. Now, the child or middle aged person may have no means of defending himself; he can not go into court; he will never have his day in court to defend his interests, and yet you divert his money in order to pay claims that, to say the least, will not decrease when presented to the Court of Claims.

Mr. ROCKWELL. Do you not think it would be better to leave the law so that we could use the Indians as a makeweight? In other words, would it not be better, as part of the consideration for the payment of these funds, to have it understood that the Government should pay the depredation claims, so that the Indians might take more interest in helping to make the necessary proofs in defense of those claims? For I assume that if the damage occasioned was really only \$10 a claim would be presented for at least \$100, and that if the damage was only \$100, a claim would be presented for \$1,000. It seems to me if this idea were adopted we could have the assistance of the Indians in securing proofs to reduce these claims.

Mr. JEROME. I will answer that somewhat in the fashion of the answer of the minister to China with reference to what effect the Chinese exclusion act would have upon the Chinese nation. He said that there would not be one man in a million in the Chinese nation who would know

about it. So I say there would not be one man in a hundred thousand who would know of the existence of these claims. I will answer further, as a practical proposition, that if you want to deal with the Indians you do not want to go with the butt end of the dog ahead; you want to go in a better way, in the way pointed out, the way that will better him and better the condition of his wife and children; not hold over him *in terrorem* something that may happen to him if he does not, for if you do that you will never protect him as long as water runs and grass grows.

MR. ROCKWELL. It is not the duty of the Attorney-General in charge to defend these claims, and does not Congress appropriate money to help defend these very claims.

MR. JEROME. That is a matter with which I am not sufficiently familiar to answer.

MR. ROCKWELL. That being so, the Attorney-General wants the help of the Indians to make that defense?

MR. JEROME. But I apprehend that there would be no difficulty in getting the coöperation of the Indians to furnish testimony, if they have any, provided they are encouraged to do so. But to go there with a threat that they will be liable under certain contingencies would not enable you to secure half the help you would get if you treated them the other way and held out inducements to lead a better life.

My brother Sayre has some remarks to make, and indeed I have taken more time than I thought to take. But what we want is that the assurances that have been given by this commission in good faith and without knowledge of this law—referring to those assurances given before as well as those that have been made since—shall be protected from any invasion through this channel, and we will ever pray and be happy if you protect them.

Senator PLATT. I would like to inquire what provision has been made since the act of 1891 that tribes should have notice if any claims were made against them?

MR. ROCKWELL. I know of no such provision; but I know the statement was boldly made in Congress that no such notice was provided for. That statement was made very near the close of last session.

Senator PLATT. I am under the impression that Congress passed a law that notice should be given by the Attorney-General or by some body to the tribe if any judgment was rendered, but I can look it up.

STATEMENT OF MR. WARREN G. SAYRE.

Upon this subject I now desire only to say that I heartily concur in what has been said, and to say that what has been said is a statement of my own views, perhaps more fully made than it made by myself.

The tribes of Indians with which we have had relations, or with which we have made agreements, have no funds of any substantial value in the Treasury of the United States, except those derived from agreements previously made. Therefore, if these new agreements had not been made, the claimants for payment for damages occasioned by the Indian depredations would have had the same remedy they now have under the law, because in the absence of funds the judgments would be paid out of the Treasury of the United States.

I desire to say further, that had it been known that these funds were subject to diversion for payment of depredation claims the agreements

we have made would not have been made, and still the claimants would have had the same right to recover their money in the Court of Claims.

If anybody will think of it a moment he will see the extraordinary difficulty an Indian or an Indian tribe would have in defending in cases of this kind. I can only imagine one defense that can be made, and that would be to prove an *alibi*, because the claimants say that the depredations were committed, and the only thing the Indian can do is to say that he did not do it. But if he undertakes to make proof of the circumstances attending the depredations, that shows that he was there, and if the depredations were committed that his tribe committed them. Or he might possibly prove that some other Indians committed them. That would require in a court of justice some knowledge of the circumstances and would make necessary the presence of the Indian in order that he should furnish testimony upon the subject.

But it is not of the depredation-claims law that I meant to speak. The Indians we have dealt with are assuming a new relation in life. In place of having a reservation to roam over and get a precarious subsistence from, they are invited by the law and by these agreements to take individual homes. An Indian can not live on 80 or 160 acres of land any more than a white man can, unless that land by cultivation be developed and made fit for deriving benefits from. These Indians are improvident creatures, as you all know, and they are invited to take these homes and the funds by which they can put themselves in a condition to earn a living, and yet the very means to that end are taken from them by the provisions of this depredation law. Not one of those large tribes, the Cheyennes and Arapahoes, will have a dollar left; nor will the Wichitas, Kiowas, or Comanches have a dollar with which to put in a habitable condition the homes to which they are invited. The result will be that they will become a charge upon the Government of the United States, or upon Oklahoma, where these people reside, or upon their particular localities. They will be dependent for subsistence on public charity either from the Government of the United States or the locality in which they live.

As has been said, had this condition been made known to the Indians the agreements would not have been made; they would yet have their reservations; and yet the claims for damages arising from Indian depredations would be paid out of the Treasury of the United States. I think if these funds are protected from these depredation claims, the Government of the United States will be in no worse condition than it would have been had the agreements not been made, because the law of 1891 provides that they shall be paid out of the Treasury of the United States.

There is another question to which I desire to call the attention of the committee, and that is the new relation that these people bear to the United States Government by reason of becoming citizens. The Cheyenne and Arapahoe Indians are citizens of the United States today, and have been for more than a year. As each tribe has been allotted lands the members of it have become citizens of the United States. Yet here is a law of Congress saying that the Court of Claims at Washington (nearly 2,000 miles distant from where they live) shall have jurisdiction to pass upon the disposition of their property. They have not only become citizens of the United States, but by what we in the Indian Territory familiarly know as the Dawes law (the general allotment act), when they became citizens of the United States they did not lose any of their rights in tribal funds. So there they are, citizens of the United States, having an interest in these funds, and here it is

proposed by act of Congress to take those funds and divert them to other uses through judgments of the Court of Claims. My own individual opinion is that it can not lawfully be done. But, as Governor Jerome said, they are without remedy because of their poverty and their inability either to employ counsel or to make a case in any court where their rights can be protected.

The question has been suggested by the chairman as to whether the ratification of these agreements providing that this money shall be paid to the Indians does not take away the operation of the depreciation law of 1891. If it does it will be because one act of Congress, being subsequent, repeals by implication the prior, or repeals it so far as that particular fund is concerned. That leaves it subject to construction or interpretation by the administrative officers of the Government, because there is no way for these people to get into the courts. In place of leaving it in that condition, it is the judgment of this commission that good faith requires that in the ratification of these agreements these funds be put beyond the power of any deduction on account of Indian depreciation claims. I am not speaking generally of all the tribes in the Indian Territory, but of those with whom we have dealt, because they have no other funds to which recourse can be had.

The Cheyennes and Arapahoese have a treaty with the United States which expires by limitation five years from now, whereby they receive for the support of their schools and for agricultural implements, clothing, and material with which to carry on blacksmith shops and things of that kind, the sum of about \$37,000 per year. That is the only fund they have outside of the fund provided for in this agreement. That fund is now reduced to \$1,000,000, which at 5 per cent yields \$50,000 as their annuity. Yet to-day there are depreciation claims filed in the Court of Claims, as we are informed, against those two tribes amounting to nearly \$3,000,000, which will take from them every penny of the means they have for their support, and then they will become either pauper charges upon the bounty of the United States or be dependent upon the charity of the neighborhoods where they live.

Senator JONES. What ratio do the judgments rendered by the Court of Claims up to to-day bear to the amount claimed?

Mr. SAYRE. I have seen some estimate; I think the statement is that 30 odd per cent of those that were passed on prior to last June were allowed; and the estimate is made by the Secretary of the Interior in some communication from him I have seen that 60 per cent might be allowed. If 60 per cent were allowed it would wipe out all of these funds.

In the negotiation of these agreements the Indian was told what each person would receive. Otherwise they could have no comprehension of it. If you tell an Indian tribe you will give them \$2,000,000 upon the surrender of their reservation, they have no conception of that amount of money. Their enumeration is confined to hundreds. It has come to our notice that the only conception an Indian has of a thousand dollars is to refer to a box of money.

In old times payments were made to the Indians in silver, and the money was transported in boxes, each containing \$1,000 in silver. If you talk to an Indian about \$50,000 he will have no appreciation of what you mean, but he would understand what you meant if you said fifty boxes of silver. On that account we have been compelled to reduce all our propositions to them to per capita statements as to how much of principal, how much of interest, and the time and manner of

payment, so as to reduce it to amounts and numbers within their comprehension, as, for instance, that each one shall receive \$75 or \$50 each year. That they can understand, and in that way these agreements have been negotiated with the tribes we have dealt with, save the Pottawatomies, and the Pottawatomies are not Indians but white men. We negotiated with them without an interpreter. They are white men in appearance, speak the English language, and, with rare exceptions, are white men.

Now, our opinion is—and we want to urge it upon Congress, through these two committees, as strenuously as we can—that these funds shall be preserved to these Indians, and if there is any doubt about the ratification of the agreements taking them out of the operation of the Indian depreciation law of 1891, an express provision for that purpose ought to be incorporated in the law ratifying these agreements. It does not relieve the Treasury of the United States, in my judgment, a particle to say that the judgments shall be paid out of the Indian funds, because if the funds are destroyed in that manner for that purpose, then it is to the interest of the Government to take care of the Indians by appropriations, as has been done for a generation. So that in the long run it will cost the Government of the United States, in my opinion, a great deal more money than it will to save these funds from the operation of these judgments.

Senator PLATT. If we make that provision with regard to the funds which arise from the agreements you have negotiated, why should we not make it with reference to all the funds? In other words, why not repeat that section or provision of the law which says that the judgments shall be paid out of Indian funds?

Mr. SAYRE. We can imagine that there could be tribes of Indians wealthy enough to justify the payment of Indian depreciation claims out of their funds when judgments are entered against them.

Senator JONES. But they might not be willing.

Mr. SAYRE. But this Indian depreciation law of 1891 provides that claims may be filed for damages that have accrued since the year 1865. A claim for damages on account of a depreciation committed twenty-seven years ago by any of the Indian tribes in the United States is cognizable in the Court of Claims, and that court can render judgment. It can render judgment not only on claims that have been filed before the Indian Office, but upon any claims, under this law. Ordinarily, among white men, there are statutes of limitations that do not give any such length of time as that within which to prosecute claims for damages to property.

Senator PLATT. From an examination of this table before us (Ex. Doc. No. 134, Senate, 52 Cong., 1st sess.), I should say that pretty nearly half the claims are for depreciations committed before 1865.

Mr. SAYRE. It saves those that were committed prior to 1865 and which had been in process of adjustment in the Indian Office. But under that law, as I understand it, any depreciation committed since 1865 can have a claim filed for it and prosecuted in the Court of Claims. Somebody has said here, this morning, something about the value of horses. I believe there is not a horse worth \$150 in the Indian Territory, unless it belongs to an Army officer. Whole droves of ponies or horses, the kind that are used by cattlemen and the people who inhabit and do business in that country, are for sale at from \$10 to \$25 per head. But, as far as I have observed in the depreciation claims, the horses are all "thoroughbreds" and worth at least \$200 each. They

all get to be thoroughbreds in the Court of Claims, whereas in the Indian Territory they are the commonest kind of cheap scrubs.

The CHAIRMAN. Have you any legislation to suggest to us?

Mr. SAYRE. No; I would not assume to suggest legislation.

The CHAIRMAN. Are there any of your colleagues who so feel the necessity of legislation as to be willing to suggest it in the form of a bill?

Mr. SAYRE. Do you mean a clause in a bill for the ratification of these arrangements?

The CHAIRMAN. So far as you think legislation is needed.

Mr. SAYRE. You mean upon this subject?

The CHAIRMAN. Yes, with reference to this subject.

Mr. SAYRE. I had not thought of anything of the sort, but I will give some attention to it if desired.

The CHAIRMAN. You or your colleagues might put your views into the form of a bill and submit it to us.

Mr. ROCKWELL. Would such a clause as is in the appropriation act of last year be sufficient?

Mr. SAYRE. That leaves it dependent upon the exercise of discretion on the part of the Secretary of the Interior, so that one Secretary might exercise his discretion one way, and a succeeding Secretary in another way. That leaves the fund all the while in peril. If good faith requires that these funds shall be paid to the Indians for their use, and public policy requires it, so that the Indians may adapt themselves to the new condition of life they are assuming, then I should think, in place of leaving it to the discretion of anybody, positive legislation ought to be had providing that the fund should not be diverted to any other purpose than that contemplated by the agreements.

Senator PLATT. I suggest that you frame such an amendment to the bill ratifying these agreements now under consideration as you think ought to be incorporated.

Mr. SAYRE. With reference to the manner in which payments are made to the Indians, I will say that the agent gives a check to each Indian; the Indian takes it to the trader, and as the amount of it has probably been already traded out, all the Indian receives has been already consumed. That is the way it goes, for thousands and thousands of dollars have been already expended for goods bought at extravagantly high prices from the traders, so that the Indians rarely see any money. The Cheyenne and Arapahoes are paid in silver. The money is transported to them, \$50,000 at a time, under military guard.

We witnessed a payment to the Poneas, just a week before last, where an Indian did not see or handle a dollar of the money, although some \$25,000 and odd was paid out. The traders were in a tent near by where the payments were made by checks; each Indian would take his check to the trader who had sold the Indian goods on credit. In that way often the Indian has only a dollar or two of cash due him from the trader in excess of the amount of the check. The Indian can get credit for goods from the trader, or he can borrow small amounts from the trader, and thus nearly all these payments to Indians simply result in turning the money over to the traders in payment of store bills previously created. The traders are well informed as to the line of credit they can extend to each Indian and each family. The Indians would like to see the money; they would prefer to be paid in money, and not by check. So it occurred to us that when they want coin down in that part of the country it would be well to send them silver dollars, which would not find their way back to the Treasury within a short time.



AYER

155

-3

1824